



MAYOR AND COUNCIL WORKSESSION

NO. 2

DEPT.: Community Planning and Development Services
CONTACT: Jim Wasilak, Chief of Long Range Planning

DATE: July 21, 2004

SUBJECT FOR DISCUSSION:

Town Center Planning Issues

To discuss various issues related to Town Center development, including the proposed sectional map amendment and text amendments, the optional method of development and planning efforts for the area north of Beall Avenue

ORDER OF DISCUSSION:

1. Discussion of Proposed Sectional Map Amendment
2. Discussion of Proposed Zoning Text Amendment
3. Discussion of changes to the Optional Method of Development
4. Presentation of Phase II Advisory Group recommendations
5. Future Joint Meetings

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED:

Town Center Map and Text Amendments

The Mayor and Council have considered the Map and Text Amendments recommended by the Town Center Master Plan, as well as other pertinent issues, at previous worksessions. It is the intent of this meeting to discuss the issues and provide direction for preparation of the Map and Text Amendment applications to be submitted.

The zoning recommendations from the Master Plan consisted primarily of the following:

1. Adjustments to the Intent section of the Town Center Planning Area chapter to reflect the philosophy of the Town Center Master Plan;
2. The renaming of the Town Center zones (TCO-1, TCO-2, TCM-1 and TCM-2) to TC-1, TC-2, TC-3 and TC-4, respectively. The text also provides for additional flexibility in retail uses permitted in the new TC-1 and TC-2 zones. Other rezonings include properties along the west side of North Washington north of Martins Lane, and the Jerusalem Methodist Episcopal Church and County-owned Fleet Street properties.
3. Changes to the development potential under the optional method of development in the TC-3 zone. The Town Center Plan recommends additional building FAR up to 4.0 (the normal maximum is 3.0) for properties east of Maryland Avenue extended and north of Beall Avenue. This is recommended in order to encourage redevelopment of those properties.
4. Requiring ground floor retail space along Maryland Avenue while allowing ground floor retail space along Maryland Avenue to not count toward FAR calculations for the site. In addition, maximum heights would be measured from the second floor, or 16 feet above the approved street grade, whichever is lower. This provision is intended to function as an incentive to property owners to redevelop in the block north of Beall Avenue between North Washington Street and Hungerford Drive.
5. A change in the maximum height limit to 110 feet for buildings in the TC-2 Zone, located

immediately south of Church Street and east of MD 355 and built prior to July 1, 2001.

6. Allowing freestanding restaurants, but not drive-through restaurants, in the TC-1 Zone along North Washington Street in order to encourage restaurants to be located in this area. Flexible parking regulations would also encourage restaurants to be located here.

In earlier worksessions, the Mayor and Council identified several other issues that need to be discussed further prior to the processing of the applications. These include, among others:

1. The amount parking reductions that are possible in the Town Center zones;
2. The maximum potential building height and density;
3. Potential development under the current procedures for the Optional Method of Development;
4. Traffic impacts of potential development in Town Center; and
5. The addition of live-work units as permitted uses.

Attachment A discusses the proposed map amendments. Attachment B is intended to provide some additional background information on the issues that were discussed at previous worksessions as well as issues noted by staff as requiring guidance. Staff anticipates that the applications could be prepared for preliminary review at the September 13 General Session, with Planning Commission recommendation on September 22 and Mayor and Council public hearing on October 18. Adoption would then be anticipated on December 13.

Optional Method Issues

Over the last several months, the Mayor and Council have expressed a desire to review and amend the optional method provision in the Zoning Ordinance. There appears to be a desire to establish criteria or standards regarding what is expected for additional height, floor area, etc. Additionally, the list of desired amenities and/or mitigation measures should be expanded. While most of the comments have been related to Town Center, they could be applicable to other areas of the City. Attachment C provides information and options for possible amendment of the optional method.

Phase II Advisory Group

In addition, the recommendations of the Phase II Town Center Advisory Group are included. The Advisory Group has met four times to develop a more detailed redevelopment concept for the Town Center Phase II area. The redevelopment plan is organized around a one-acre green in the center of the block, with a mix of ground floor retail and residential units surrounding it. The draft plan will be distributed to property owners and other interested groups in August and September. A report of those discussions will be forwarded to the Planning Commission and Mayor and Council. Formal action would occur late this fall.

Future Joint Meetings

One other item that needs to be addressed are future joint meetings. There are several issues that have been underway for some time. Some direction is needed to put them into final form for adoption. In addition, there are several new initiatives that would benefit from a joint discussion by the Planning Commission and Mayor and Council. The new initiatives include plans in the Twinbrook Metro area and the rewriting of the Zoning Ordinance. Attachment E lists the issues and potential meeting dates.

LIST OF ATTACHMENTS:

- A. Staff memo on Map Amendment
 - 1. Proposed Zoning Map
 - 2. List of Properties to be Rezoned
- B. Staff memo on Text Amendment
 - 1. Recommendations for Master Plan
 - 2. Draft Ordinance
- C. Staff memo on Optional Method in Town Center
- D. Staff memo on Phase II Advisory Group Recommendations
 - 1. Summary of draft plan
 - 2. Phase II Town Center Proposal – The Process
 - 3. Staff Comments on Phase II Town Center Proposal
- E. Future Joint Meetings



City of Rockville

M E M O R A N D U M

July 15, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Jim Wasilak, Chief of Long Range Planning

THROUGH: Arthur Chambers, Director of Community Planning and Development Services

SUBJECT: Town Center Master Plan Zoning Map Amendments

The Town Center Master Plan recommended renaming the former TCO-1, TCO-2, TCM-1 and TCM-2 Zones to the TC-1, TC-2, TC-3 and TC-4 Zones, respectively. Approximately 12.66 acres will be rezoned from the TCO-1 Zone to the TC-1 Zone, and are located generally along the west side of North Washington Street between Jefferson Street and Martins Lane. Approximately 14.55 acres along the east side of Hungerford Drive between Baltimore Road and the Archstone development will be rezoned to the TC-2 Zone. Approximately 26.45 acres near the Rockville Metro station will be rezoned from the TCM-2 Zone to the TC-4 Zone, while approximately 25.73 acres will be zoned from the TCM-1 Zone to the TC-3 Zone. It should be noted that, given the new property boundaries and street rights-of-way that have recently been created as a result of the Town Square project, staff recommends that the zone boundary follow Maryland Avenue extended. Property to the west of Maryland Avenue will be located in the TC-3 Zone rather than being split-zoned, a situation that should be avoided where possible. This will result in a reduction in the amount of land in the TC-4 Zone compared to what had been in the TCM-2 Zone. The Map Amendment also includes rezoning 10.42 acres from C-2 to TC-1, generally along the west side of North Washington Street and Hungerford Drive between Martins Lane and Ivy League Lane.

Two other rezonings are included: the rezoning of the Jerusalem Methodist Episcopal Church property, and the Montgomery County-owned properties on Fleet Street. The Town Center Master Plan had recommended that the Jerusalem Church property be rezoned to the O-2 Zone to remove the condition that the church property is within three zones. Unfortunately, the text amendment that created the C-T Zone also prohibited subdivision for the purpose of assembling properties for redevelopment. Staff therefore recommends that the Text Amendment include language that would exempt properties like the Jerusalem Church properties from this restriction. This could be for institutional uses or uses other than office that are permitted in the zone.

Catherine Tuck Parrish, Acting City Manager
July 15, 2004
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The Fleet Street properties were recommended to be rezoned to the R-30 Zone from the R-90 Zone in the Plan. This was intended to provide for transitional density between the Town Center and residential neighborhoods to the south. The property is owned by Montgomery County, and preliminary discussions with the Housing Opportunities Commission (HOC) have been premised on approximately 42 townhouse units in the R-30 Zone.

Staff Recommendation

Staff recommends that the Mayor and Council affirm the zoning recommendations as noted in the attached map and list of properties to be rezoned, which is derived from the Town Center Master Plan.

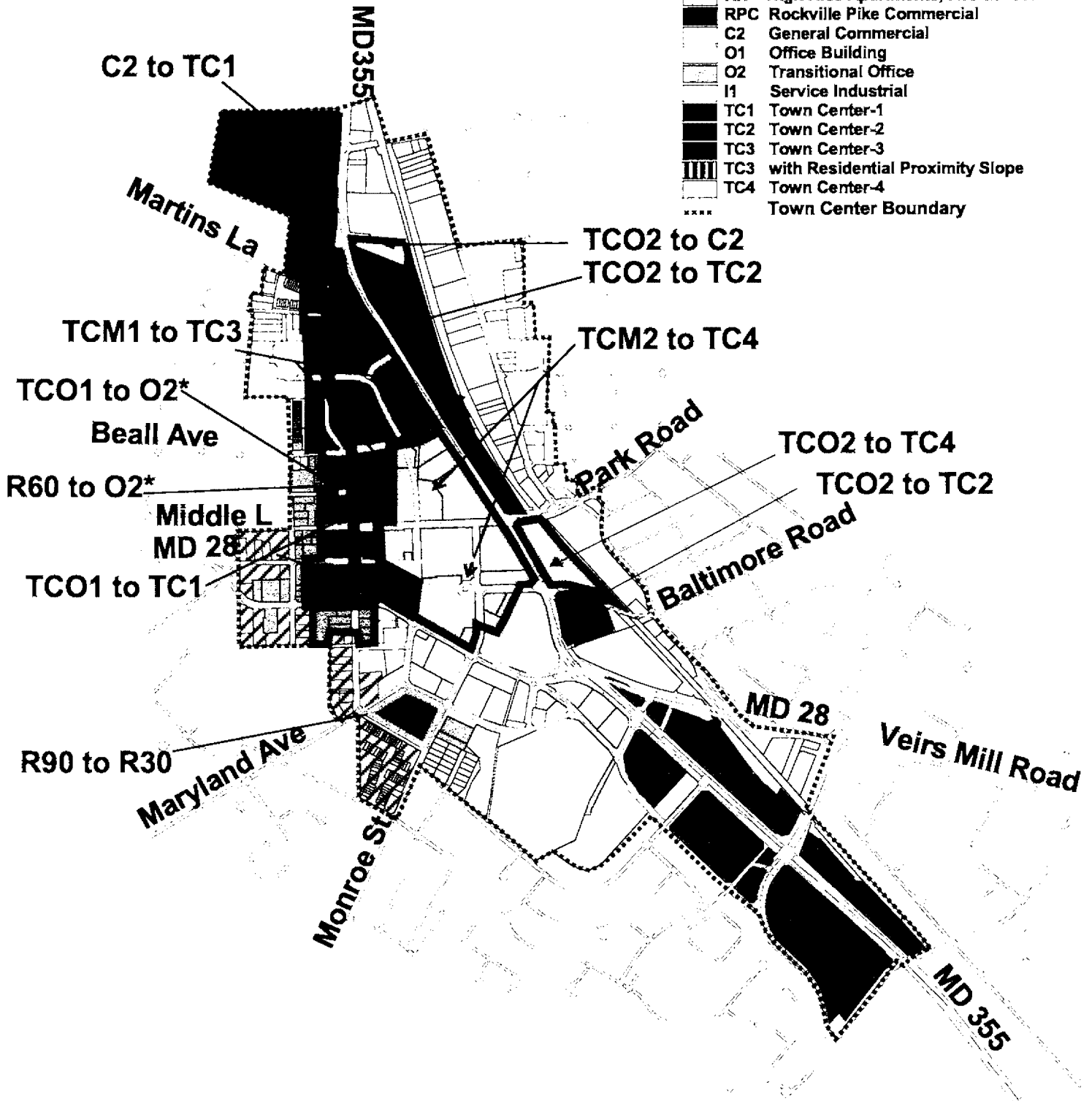
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Attachments:

1. Proposed Zoning Map
2. Property List

Proposed Zoning

RS	Suburban Residential
R20	Multiple Family, Residential
R30	Multiple Family, Low Density Residential
R60	One-Family Detached, Residential
R90	One-Family Detached, Residential
RH	High Rise Apartments, Residential
RPC	Rockville Pike Commercial
C2	General Commercial
O1	Office Building
O2	Transitional Office
I1	Service Industrial
TC1	Town Center-1
TC2	Town Center-2
TC3	Town Center-3
TC3	with Residential Proximity Slope
TC4	Town Center-4
****	Town Center Boundary



Note:

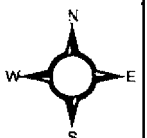
The map does not reflect zoning changes to C-T made as part of the Citywide Master Plan. Map Amendment, 8/4/03.
 * Jerusalem Church property



CITY OF ROCKVILLE

DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT SERVICES

Town Center Proposed Zoning Map



Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
Properties to be rezoned from R-90 to R-30						
205 Fleet Street	Montgomery County	00205007	Rockville Heights Block 2, Lot P6	R-90	R-30	3.85 acres 42,034 SF
207 Fleet Street	Montgomery County	00205053	Rockville Heights Block 2, Lot P1	R-90	R-30	30,214 SF
209 Monroe Street	Montgomery County	00205042	Rockville Heights Block 2, Lot P3	R-90	R-30	15,210 SF
211 Monroe Street	Montgomery County	00204993	Rockville Heights Block 2, Lot P4	R-90	R-30	23,108 SF
Maryland Avenue	Montgomery County	00204947	Rockville Heights Block 2, Lot P7	R-90	R-30	57,111 SF
Properties to be rezoned from C-2 to TC-1						
804 Hungerford Drive	Banner Glass Inc.	03362296	Veirs Tract Block A, Lot P2	C-2	TC-1	10.42 acres 35,577 SF
808 Hungerford Drive	John M. Conroy, et al., c/o HBW Group	00144648	Veirs Tract Block A, Lot P3	C-2	TC-1	19,916 SF
800 Hungerford Drive	Hungerford Investment Limited Partnership	02044994	Veirs Tract Block A, Lot 5	C-2	TC-1	26,261 SF
700 Hungerford Drive	John M. Conroy et al., c/o Jeepers, Inc.	00144661	Volkswagon Lot	C-2	TC-1	45,634 SF
700 Hungerford Drive	John M. Conroy et al., c/o Jeepers, Inc.	00144650	Volkswagon Lot	C-2	TC-1	79,388 SF
790 Hungerford Drive	Sun Oil Company of PA	00153302	Veirs Tract Block A, Lot P4	C-2	TC-1	15,418 SF
650 Hungerford Drive	Asia Real Estate Corp.	00142514	Columbia Building Lot	C-2	TC-1	37,014 SF
622 Hungerford Drive	John M. Conroy et al., c/o Conroy Ballman Dameron	01928407	City Center Block A, Lot P2	C-2	TC-1	36,596 SF
622 Hungerford Drive	John M. Conroy et al., c/o Conroy Ballman Dameron	00144637	City Center Block A, Lot P2	C-2	TC-1	58,074 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
500 North Washington Street	United States Postal Service	00153814	GR33, Lot P601	C-2	TC-1	100,101 SF
Properties to be rezoned from TCO-2 to C-2						
587 Hungerford Drive	Tafida Associates	00155972	City Center Lot 21	TCO-2	C-2	1.33 acres 58,015 SF
Properties to be rezoned from TCO-1 to TC-1						
1 Dawson Avenue	Benjamin F. and D Rossner et al, c/o Thomas P. Brown Inc.	00156065	Simmons Addition Parcel C	TCO-1	TC-1	12.66 acres 13,389 SF
400 North Washington Street	Herbert I Stern Rev. Trust	00156340	Stern Property Parcel A	TCO-1	TC-1	46,547 SF
316 North Washington Street	Jamil M. Azat, et al.	00158372	City Center Block A, Lot 1	TCO-1	TC-1	17,863 SF
316 North Washington Street	Mousa J. and L. Azat, et al	00155458	GR33, Lot P764	TCO-1	TC-1	3,724 SF
300 North Washington Street	Kam Sam Food Product of Maryland Inc	03185851	City Center Block A, Lot 5	TCO-1	TC-1	43,192 SF
250 North Washington Street	John J. Fitzgerald Jr., c/o Allfirst Bank	03015394	City Center Block A, Lot 3	TCO-1	TC-1	13,636 SF
260 North Washington Street	Crown Stations Inc.	00146294	City Center Lot 10	TCO-1	TC-1	16,983 SF
254 North Washington Street	MIIP Town Centre, Inc., c/o Tad Baldwin	03032855	City Center Block A, Lot 4	TCO-1	TC-1	96,878 SF
246 North Washington Street	George R. Snowden et al	00156178	GR32, Parcel P9	TCO-1	TC-1	14,500 SF
246 North Washington Street	George R. Snowden et al	00156167	GR32, Parcel P64	TCO-1	TC-1	236 SF
North Washington Street	Mayor and Council of Rockville	00148316	GR32, Parcel N45	TCO-1	TC-1	723 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
230 North Washington Street	Yuet A and L A S Lau	00147276	Metropolitan Subdivision	TCO-1	TC-1	18,925 SF
200 North Washington Street	Exxon Corp	00147460	Original Town of Rockville Block 7, Lot P35	TCO-1	TC-1	41,168 SF
110 North Washington Street	Rockville Associates LLC	02431014	Original Town of Rockville Block 6, Lot 31	TCO-1	TC-1	57,010 SF
12 North Washington Street	Federal Realty Partners LP	00148327	Original Town of Rockville Block 5, Lot 25, Pt Lot 24, 26	TCO-1	TC-1	65,504 SF
15 West Montgomery Avenue	John T. Bell	00156225	Original Town of Rockville Block 5, Lot 1	TCO-1	TC-1	11,114 SF
2 West Montgomery Avenue	United States of America	00157184	Original Town of Rockville Block 4, Lot P21	TCO-1	TC-1	27,288 SF
18 West Montgomery Avenue	18 West Montgomery Ave LLC	00157947	Original Town of Rockville Block 4, Lot P21	TCO-1	TC-1	2,810 SF
50 West Montgomery Avenue	Jeb Howard et al, Trustees	00148976	Original Town of Rockville Block 16, Lot 3	TCO-1	TC-1	35,794 SF
77 South Washington Street	77 S. Washington Condominium		Original Town of Rockville	TCO-1	TC-1	
99 South Washington Street	HTMI Limited Partnership	01735054	Original Town of Rockville Block 4, Lot P1	TCO-1	TC-1	5,542 SF
17 West Jefferson Street	John H. Garza	01735043	Original Town of Rockville Block 4, Lot	TCO-1	TC-1	10,502 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
27 West Jefferson Street	Montgomery County Maryland Bar Foundation Inc	02515717	P1 Original Town of Rockville Block 16	TCO-1	TC-1	8,173 SF
Properties to be rezoned from TCO-1 to O-2						
11 Wood Lane	Board of Trustees of Jerusalem Mt Pleasant United Methodist Church	00147717	Original Town of Rockville Block 7, Lot P31	TCO-1	O-2	2,323 SF
Wood Lane	Board of Trustees of Jerusalem Mt Pleasant United Methodist Ch	00147454	Original Town of Rockville Block 7, Lot P31	TCO-1	O-2	2,376 SF
Wood Lane	Jerusalem Methodist Episcopal Church of Montgomery County	02064684	Original Town of Rockville Block 7, Lot P32	TCO-1	O-2	6,918 SF
Properties to be rezoned from R-60 to O-2						
Wood Lane	Jerusalem Methodist Episcopal Church of Montgomery County	02064673	Original Town of Rockville Block 19, Lot P82	R-60	O-2	3,300 SF
Wood Lane	Jerusalem Methodist Episcopal Church of Montgomery County	02064662	Original Town of Rockville Block 19, Lot P82	R-60	O-2	935 SF
21 Wood Lane	Jerusalem Methodist Episcopal Church of Montgomery County	00147881	Original Town of Rockville Block 19, Lot P83	R-60	O-2	7,744 SF
Properties to be rezoned from TCO-2 to TC-2						
8 Baltimore Road	Rockville Assisted Living LLC	03131313	Third Addition to Rockville, Lot 24	TCO-2	TC-2	14.55 acres 51,008 SF
22 Baltimore Road	Wire Historic Building LLC	03355405	Third Addition to Rockville, Lot 25A	TCO-2	TC-2	14,299 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
21 Church Street	Church Street LLC	03355416	Third Addition to Rockville, Lot 25B	TCO-2	TC-2	35,945 SF
1 Church Street	One Church Street LLC	02728555	Third Addition to Rockville, Lot 23	TCO-2	TC-2	30,210 SF
Rockville Pike	Washington Metropolitan Area Transit Authority		Rockville Metro Station Metered Parking Lot	TCO-2	TC-2	
501 Hungerford Drive	ASN Rockville LLC	03371815	City Center Block C, Lot 32	TCO-2	TC-2	210,842 SF
451 Hungerford Drive	Joseph C Rodgers et al Trustees	01839664	City Center Block C, Lot 24	TCO-2	TC-2	136,066 SF
401 Hungerford Drive	Montgomery County	02469995	City Center Block C, Lot 25	TCO-2	TC-2	62,726 SF
387 Hungerford Drive	Chevy Chase Bank LLC	02801430	City Center Block C, Lot 31	TCO-2	TC-2	35,719 SF
Hungerford Drive	Mae S. Merchant	02716490	GR33, Parcel N955	TCO-2	TC-2	10,315 SF
379 Hungerford Drive	Merchants Inc	02130370	City Center Block C, Lot P26	TCO-2	TC-2	16,167 SF
369 Hungerford Drive	Rockville Town Center II LLC	00148668	GR32, Parcel P20	TCO-2	TC-2	25,514 SF
Properties to be rezoned from TCM-1 to TC-3						
27 Courthouse Square	Montgomery County	00152455	Original Town of Rockville Block 8, Lot 35	TCM-1	TC-3	25.73 acres 131,726 SF
Maryland Avenue	Montgomery County	00152604	GR32, Lot P365	TCM-1	TC-3	3,993 SF
Maryland Avenue	Mayor and Council of Rockville	03255852	GR32, Lot P393	TCM-1	TC-3	16,493 SF
4 Courthouse Square	Farmers Bank and Trust Co., c/o Allfirst Bank	03310500	Rockville Town Center Parcel 5-A	TCM-1	TC-3	4,902 SF
11 North Washington	Eleven North Washington	03310511	Rockville Town Center	TCM-1	TC-3	37,250 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
Street	LLC		Parcel 5-B			
225 North Washington Street	Mayor and Council of Rockville	03444706	City Center Block B, Lot 20	TCM-1	TC-3	150,748 SF
151 Commerce Street	Mayor and Council of Rockville	03444752	City Center Block B, Lot 22	TCM-1	TC-3	19,750 SF
380 Hungerford Drive	Rockville Volunteer Fire Dept	00155130	City Center Lot 5	TCM-1	TC-3	29,026 SF
380 Hungerford Drive	Rockville Volunteer Fire Dept	00155152	GR33, Lot P957	TCM-1	TC-3	11,000 SF
380 Hungerford Drive	Rockville Volunteer Fire Dept	00155141	GR32, Parcel N17	TCM-1	TC-3	2,954 SF
Beall Avenue	Rockville Town Center LLC	00156522	City Center Outlot A	TCM-1	TC-3	2,110 SF
255 North Washington Street	Rockville Town Center LLC	00156511	City Center Lot 3	TCM-1	TC-3	98,122 SF
414 Hungerford Drive	Davers and Assoc	00145142	City Center, Lot 8	TCM-1	TC-3	106,460 SF
416 Hungerford Drive	Davers and Assoc	00145153	City Center, Lot 12	TCM-1	TC-3	40,000 SF
430 Hungerford Drive	Eric Beverage Co. Inc.	00156327	Stern Property	TCM-1	TC-3	55,272 SF
460 Hungerford Drive	Maxim Enterprises Inc	00144477	City Center, Lot 6	TCM-1	TC-3	53,735 SF
275 North Washington Street	Washington Associates C/o Giant Food, Inc.	00156338	City Center, Lot 7	TCM-1	TC-3	136,789 SF
401 North Washington Street	Transwestern Gateway LLC	00149470	City Center, Lot 11	TCM-1	TC-3	167,719 SF
500 Hungerford Drive	500 Hungerford Dr LLC	00158281	GR33, Lot P712	TCM-1	TC-3	11,107 SF
502 Hungerford Drive	Bank of Baltimore, c/o First Union	02339901	City Center Block B, Lot 14	TCM-1	TC-3	31,005 SF
502 Hungerford Drive	Petroleum Marketing Assoc Inc.	00154421	GR33, P658	TCM-1	TC-3	44 SF
510 Hungerford Drive	Petroleum Marketing Assoc Inc.	00147152	GR33, P639	TCM-1	TC-3	10,589 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
Properties to be rezoned from TCM-1 and TCM-2 to TC-3						
100 North Maryland Avenue	Mayor and Council of Rockville	03444730	City Center Block B, Lot 19	TCM-2/ TCM-1	TC-4	3.06 acres 70,916 SF
140 North Maryland Avenue	Mayor and Council of Rockville	03444728	City Center Block B, Parcel B	TCM-2/ TCM-1	TC-4	15,996 SF
150 North Maryland Avenue	Mayor and Council of Rockville	03444741	City Center Block B, Lot 21	TCM-2	TC-4	46,353 SF
Properties to be rezoned from TCO-2 to TC-4						
Rockville Pike	Washington Metropolitan Area Transit Authority		Rockville Metro Station	TCO-2	TC-4	4 acres 4 acres
Properties to be rezoned from TCM-2 to TC-4						
22-24 Courthouse Square	The Victoria Condominium Association, etc.		Rockville Town Center Parcel 4-C	TCM-2	TC-4	23.39 acres
41 Maryland Avenue	Lodging Partners LLC	03198603	Rockville Town Center Parcel 2-H	TCM-2	TC-4	18,150 SF
32 Courthouse Square	Paul E and R M Schlosser	01781038	Rockville Town Center Parcel 3-C	TCM-2	TC-4	6,335 SF
199 East Montgomery Avenue	Pavilion Partners Inc.	03210477	Rockville Town Center Parcel 2-G	TCM-2	TC-4	65,905 SF
196 East Montgomery Avenue	Tower 3 Associates	03297617	Rockville Town Center Parcel 2-J	TCM-2	TC-4	78,933 SF
198 East Montgomery Avenue	Tower 2 Associates	03297628	Rockville Town Center Parcel 2-K	TCM-2	TC-4	57,631 SF
101 Monroe Street	Montgomery County	02253130	Rockville Town Center Block B, Lot P5	TCM-2	TC-4	217,667 SF
260 East Jefferson Street	Edwin R Brown Family Trust	0143518	Rockville Town Center Block B, Lot 2	TCM-2	TC-4	18,682 SF
90 Monroe Street	Town Center Apartments, Inc.	01776533	Rockville Town Center Block 3, Lot 2	TCM-2	TC-4	27,828 SF

Properties to be Rezoned in Town Center Sectional Map Amendment						
Property Address	Owner	Tax Account Number	Subdivision	Existing Zone	New Zone	Land Area
50 Monroe Place	Alexander Guss et al., c/o Ronald Cohen Mgt	00144444	GR32, Lot P401	TCM-2	TC-4	19,528 SF
Monroe Street	Mayor and Council of Rockville		GR32, Lot P309	TCM-2	TC-4	
51 Monroe Street	B Franklin Kahn et al., c/o Washington Real Estate Investment Trust	01621196	Mid City Urban Renewal Project, Parcel 2-L	TCM-2	TC-4	52,707 SF
255 Rockville Pike	Eldridge Inc.	03084266	Rockville Town Center Parcel 2-F	TCM-2	TC-4	109,107 SF
111 Rockville Pike	Rockville Metro Plaza I LLC	03266855	City Center Block B, Lot 16A	TCM-2	TC-4	47,448 SF
121 Rockville Pike	Pension Benefit Fund Inc.	03266866	City Center Block B, Lot 16B	TCM-2	TC-4	106,311 SF
200 East Middle Lane	Mayor and Council of Rockville	03444763	City Center Block B, Lot 18	TCM-2	TC-4	71,831 SF
330 Hungerford Drive	William K. Cassidy et al	00144147	City Center Lot 4	TCM-2	TC-4	63,467 SF
360 Hungerford Drive	American Oil Company	00142230	GR32, Lot P38	TCM-2	TC-4	48,793 SF
North Maryland Avenue	Mayor and Council of Rockville	03444717	City Center Block B, Outlot A	TCM-2	TC-4	8,623 SF



City of Rockville

MEMORANDUM

July 15, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Jim Wasilak, Chief of Long Range Planning

THROUGH: Arthur Chambers, Director of Community Planning and Development Services

SUBJECT: Town Center Master Plan Zoning Text Amendments

The following information is provided to summarize the discussion at previous worksessions, and to provide additional information for the Mayor and Council's discussion at the worksession. Staff intends to bring back the complete text amendment to the Mayor and Council for review after all of the discussion points have been incorporated.

Parking reductions in the Town Center zones

Currently, reductions of up to 30 percent from the required amount of nonresidential parking spaces may be granted by the Planning Commission, or other approving body as appropriate, in the TCO-1, TCO-2, TCM-1 and TCM-2 Zones. These are granted as part of the Use Permit approval. The parking reduction must meet one of the following criteria: 1) there are common patrons or onsite users within the building or buildings, or there are non-overlapping peak parking needs among the uses on the site; 2) a major point of pedestrian access is within 1,500 feet of the Rockville Metro station; or 3) a parking management plan, approved by the relevant approval authority, that incorporates car and van pooling, or public or private transit. The Mayor and Council may authorize an additional 10 percent reduction, for a total of forty percent.

Also discussed was whether there were enforcement mechanisms that would ensure that parking reductions would not be abused, or more positively, whether the reductions are effective. A mechanism that could achieve this would be to include reporting requirements for all parking reductions that might be granted, and could be accomplished in a similar fashion as those developments with approved Transportation Demand Management (TDM) programs. Another possibility is to have specific criteria assigned to a tiered system of reductions, rather than grant a reduction for the entire thirty (or forty) percent reduction.

Maximum potential building height and density

The Town Center Master Plan did not recommend any changes to the base development standards such as height and density in the Town Center zones. Currently, the height limits and maximum density in terms of FAR are as follows:

Zone	Maximum Height	Maximum FAR
TC-1 (TCO-1)	45 feet	1.0
TC-2 (TCO-2)	75 feet	2.0
TC-3 (TCM-1)	75 feet	3.0
TC-4 (TCM-2)	100 feet	4.0

Note that residential floor area does not currently count toward the maximum FAR limitations. The recommended development standards continue the overall concept of building height in Town Center as a “pyramid”, with the tallest structures at the core of Town Center near the Metro station, and transitioning to lower heights closer to the adjacent residential neighborhoods. The Mayor and Council previously stated general agreement with the base level development standards.

Changes in height

The Plan also recommended that ground floor retail floor area not count toward the maximum FAR limitations and that the maximum height limitation be measured starting from the second floor or 16 feet above the street level, whichever is lower. This potentially results in effective height limits of 116 feet under the Optional Method in TC-3 (former TCM-1).

In addition, because of recommended changes to the zoning map, several properties will have maximum height limitations altered, including the west side of the Metro station site, increased from 75 feet to 100 feet. The properties fronting North Washington Street and Hungerford Drive (between Martins Lane and Ivy League Lane), would be reduced from 75 feet to 45 feet.

Height measurement in the TCM-2 Zone

Another aspect related to the measurement of height in Town Center is that, for the TCM-2 Zone, heights are measured from the 448 elevation. That elevation is above grade level of the land area in the TCM-2 Zone, and is equivalent to the elevation of the main level of the 255 Rockville Pike and 51 Monroe Street buildings, and the promenade in between them. This requirement derives from the original concept for the redevelopment of Town Center after urban renewal, in which buildings were built on elevated platforms connected by pedestrian bridges and connections, rather than having street frontage. Since the recommended development pattern has changed since this was instituted in order to promote street-level activity, there does not seem to be a compelling reason to retain this requirement. It should be noted that the existing approvals in the TCM-2 Zone (Rockville Center and Rockville Metro Plaza) accounted for measuring the height of those projects from the 448 level, so there may be reduction in height for future phases.

Traffic impacts of potential development in Town Center

At the last worksession, the Mayor and Council expressed a desire to relate the level of development in Town Center to an appropriate level of traffic congestion in Town Center. A Town Center Transportation Analysis was developed in conjunction with the Town Square development approval. That study incorporated approved projects in the City's development pipeline, and outlined proposed mitigation measures. The City has also engaged a consultant to study long-term traffic impacts, based on potential future development constructed under existing zoning limits.

Requirements for pedestrian accessibility for new development

The Town Center Master Plan envisions a pedestrian-oriented environment, to be provided through a traditional downtown development pattern composed of blocks containing wide sidewalks at the edges of the blocks. In addition, the pedestrian impediment of MD 355 at the Metro station was recognized, and it is recommended that a prominent pedestrian promenade be constructed to overcome this. The promenade would be directly linked to the "L-shaped spine" formed by East Montgomery and Maryland Avenues as the primary pedestrian-oriented street in Town Center.

In terms of requiring pedestrian accessibility, the Zoning Ordinance text that currently applies to the Optional Method only is perhaps a starting point for requiring developments to provide for pedestrian accessibility. The ordinance requires that all developments provide a system of public pedestrian ways linking the development with neighboring properties and the Metro station. This could be expanded to cover all Use Permits and could also include connections to other pedestrian connections noted in relevant Plans. These may be the promenade, other pedestrian ways that may be recommended such as a connection from East Rockville, and connections to the core of Town Center when developments are proposed across heavily traveled roadways such as Hungerford Drive, East Jefferson Street or North Washington Street.

The Mayor and Council expressed a desire to be more aggressive in requiring pedestrian and bike-related facilities in Town Center. Some options to consider include requiring a minimum sidewalk width, installation of appropriate traffic signals and crosswalks, and bicycle facilities.

Requirements for a mix of housing opportunities (both ownership and rental)

Although the Town Center Master Plan does not contain policy recommendations for encouraging homeownership or rental units, clearly achieving as many owner-occupied units in the new multifamily residential projects is desirable to build a strong community rooted in Rockville. Census data reveals that in both Montgomery County and Rockville, the percentage of owner-occupied dwellings within the total inventory of multifamily units is about 22 percent. While the Town Center may exceed this considerably in its current state, each new residential project will alter this mix, although because Town Center already contains a large amount of condominiums, the percentage of owner versus rental units will likely remain more than in other similar areas. Research has indicated that other jurisdictions in the region do not specify a desired mix of owner-occupied versus rental dwellings in Metro station areas.

Some questions that still need to be discussed is whether the owner vs. rental mix should be a policy goal for the overall Town Center, and how this relates to individual projects. If the Mayor and Council desires that this goal be applied in the development approval process, then staff will conduct research on the legal and practical ramifications.

Permitted Uses

A recommendation in the Town Center Master Plan was to allow more flexibility in the mix of uses in the Town Center zones. This primarily relates to the TCO-1 (new TC-1) zone, in that the other three TC zones allow some uses that are not permitted in the TCO-1. Some of these include the retailing of alcoholic beverages for consumption off-premises, household appliances and sporting goods, auctioneer and commercial gallery, taverns and nightclubs, automobile rental, retailing of office furniture, libraries, museums and art galleries, private clubs and social halls, indoor entertainment facilities, and hotels. Many of these uses may be desirable in the new TC-1 Zone, and would contribute to the redevelopment of Town Center. The Mayor and Council should consider whether these uses should be included in the text amendment.

Loading Spaces

One issue that has arisen in the Rockville Town Square project is the requirement that all loading spaces be located underground or in a building, in the TCM-2 Zone. While this is desirable in most cases, there may be instances when the requirement cannot be fully met. Staff suggests that this requirement perhaps be extended to the new TC-3 Zone as well, which contains the bulk of the redevelopable land in Town Center. To provide some flexibility, a provision that allows a waiver of this requirement for good cause shown, may be appropriate.

Staff Recommendations

Staff recommends that the text amendment be drafted to include the following language:

- Tighter criteria for parking reductions, based on a tiered system;
- Removal of height measurement in the TCM-2 Zone from the 448 level;
- Additional flexibility in the permitted uses in all TC mixed-use zones;
- Additional standards for loading spaces in the mixed-use zones; and
- Additional requirements for pedestrian accessibility.

Staff does not recommend that retail floor area not count toward or height limitations, as recommended in the Plan.

Attachments:

1. Recommendations from Master Plan
2. Draft Ordinance



REGULATORY RECOMMENDATIONS

The following chapter describes the recommendations for regulatory measures that could be utilized to encourage appropriate development in the Town Center. These tools are based upon recommendations described elsewhere in this document and represent a description of the implications of the land use and urban design policies. The regulations fall within one of two categories:

- Zoning Map & Zoning Ordinance Revisions, or
- Design Guidelines Recommendations.

Zoning Map & Ordinance Revisions

There are currently 14 zoning classifications for land within the study area of the Town Center Master Plan that allow the following uses: general commercial, high and low density multi-family residential, high rise apartments, retail and services, offices, office intended to preserve residential structures, mixed-use developments, and service industrial uses. The table on page 86 summarizes the allowable uses and associated densities and maximum building heights.

Existing Town Center Zoning Issues

A review of the existing regulations affecting development in the Town Center area indicates the following:

- Town Center Office (TCO) zones make allowances for most types of retailing with limitations but originally did not al-

low residential uses. Subsequent amendments have provided for the inclusion of multi-family residential uses.

- Town Center Mixed Use (TCM) zones allow for office, commercial, and residential uses.
- Hotels are not allowed in the TCO-1 zone.
- The TCO-1 zone does not allow more than 15% of the gross floor area of a building to be devoted to retail uses; in the TCO-2 zone, the limit is 25% of the gross floor area.
- A service drive parallel to MD 355 is required to provide access between adjoining lots in the TCO-2 and TCM-1 zones.
- In the TCM-2 zone, all off-street parking is required to be located underground or in a building.
- No stated standard for minimum lot coverage.
- Height limits generally between 75 feet and 100 feet in TCM zones; proposals under the optional development guidelines allow heights up to 235 feet (in TCM-2 zone only).

In 1981, Denver developed a plan for the 16th Street Mall that would use transit services effectively to supplement existing city programs and enhance the mall's influences on Denver's downtown economy. This was planned through a centralized management system of the mall district, using elements such as complementary public improvements, a comprehensive parking program, design standards, and mall management.

Summary of Existing Zoning

Zoning Classification	General Purpose	Allowable Density	Height Limits	Other
C-2 General Commercial	Provide a wide range of retail uses, services, commercial activities, and offices of medium intensity to protect adjoining residential zones.	FAR of 2.0	75'	
R-20 Multiple Family Residential	Promote a suitable environment for family life through the provision of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development compatible with the topography, and other natural characteristics of the area.		45'	
R-30 Multiple Family Residential, Low Density Residential			45'	
R-60 One-Family Detached Residential			35'	
R-90 One-Family Detached Restricted Residential			35'	
R-H High Rise Apartments, Residential			110'	
RPC Rockville Pike Commercial	Provide a wide range of retail uses, services, commercial activities, and residential opportunities within the Rockville Pike Corridor Area.	FAR of 0.36 (can be increased to 1.3 under optional method of development)	Maximum 35' (75' under optional method of development)	
TCO-1 Town Center Office One	Provide office space with convenience retail uses as a transition between commercial uses and low density, residential scaled office uses.	FAR of 1.0	Maximum 45'	Vehicular access to North & South Washington Street is prohibited; no parking is permitted between the public right-of-way & the building line
TCO-2 Town Center Office Two	Provide office space with some general retail uses.	FAR of 2.0	Maximum 75'	Service drive is required adjacent to MD 355 to provide access between adjoining lots; parking is prohibited between the build-to line and the building
O-1 Office Building	Provide office space and complementary services uses and to provide a transition between general commercial and residential uses.	FAR of 3.0; multi-family limited to 60 d.u.a. (100 d.u.a. under optional method of development)	Maximum 75'	
O-2 Transitional Office	Provide office space that establishes a transition between residential neighborhoods and commercial office uses and that promotes the preservation of residential structures.	Same as that in most proximate residential zone		
TCM-1 Town Center Mixed Use One	Provide for mixed-use developments containing office, commercial, and residential uses separately or in any combination.	FAR of 3.0	Maximum 75'; 100' under optional method of development	Service drive is required adjacent to MD 355 to provide access between adjoining lots; parking is prohibited between MD 355 and the building
TCM-2 Town Center Mixed Use Two	Provide for mixed-use developments containing office, commercial, and residential uses at the greatest development density.	FAR of 4.0 (can be increased to 6.0 under optional method of development)	Maximum 100'; 235' under optional method of development	All off-street parking required to be located underground or in a building
I-1 Service Industrial	Provide space for certain industrial uses, general wholesaling, and retailing facilities for certain commodities appropriate in an industrial zone.	FAR of 0.75	Maximum 40'	

- Allowable densities near the Metro station are one-quarter to one-half that of the TCM-2 zone, which allows for the greatest development density in the Town Center.

These conditions result in the following:

- A hotel could not be constructed along the west side of North Washington Street between Jefferson Street and

Martins Lane.

- The potential for an effective medium-to-high-density transit-oriented development that maximizes the role of the Metro station is compromised because of use limitations and an allowable FAR on the west side of the station of only 2.0. The eastern portion of the station is zoned Service Industrial with a .75 FAR.
- Service drive requirements result in a

suburban pattern of development, allowing large setbacks and surface parking in front of buildings on MD 355.

The existing zoning requirements, coupled with these results adversely affect the implementation of the Town Center Master Plan; therefore, the Plan recommends the changes described below (and summarized on the table on this page):

- The renaming of all Town Center zones to reflect the mixed uses permitted in the zones. In other words, both TCO and TCM zones would become TC zones.

The resulting zones would have the same FARs but would allow for a mix of uses similar to the existing TCM-1 and TCM-2 zones. In order to clarify the relationship between the classification of the zoning district and the FARs associated with each category, the following name changes are recommended:

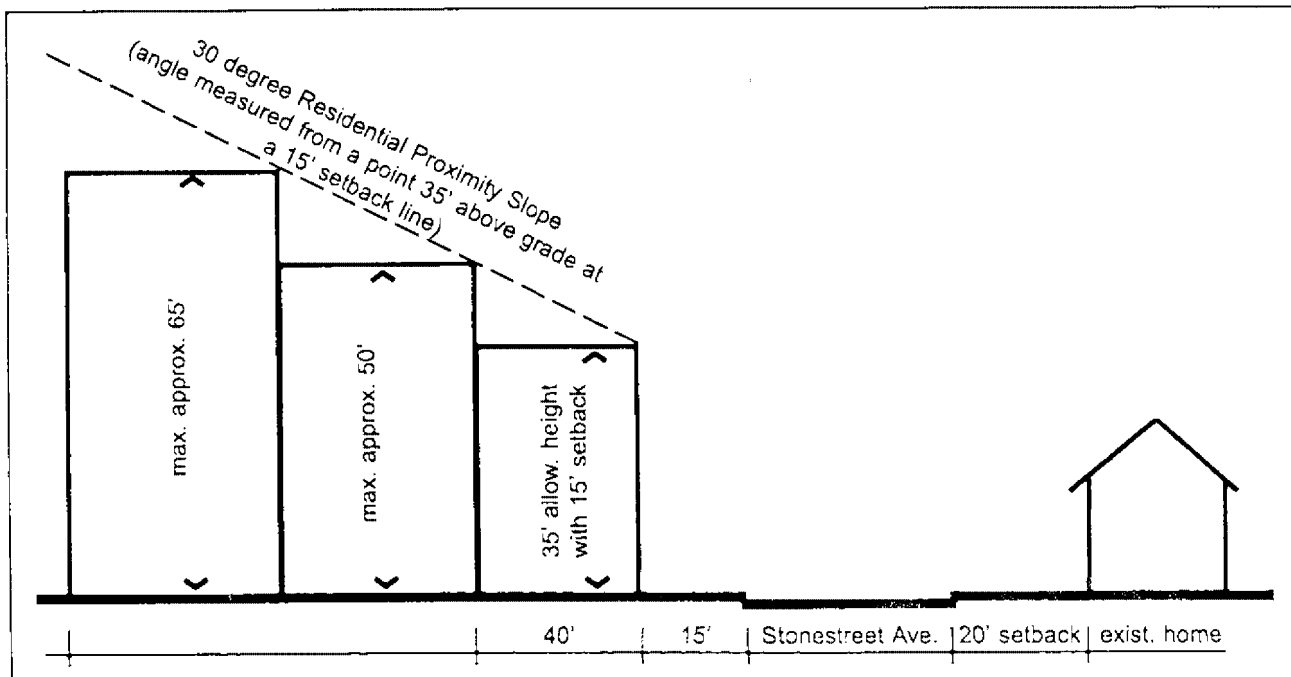
Existing Zone	New Zone
TCO-1	TC-1
TCO-2	TC-2
TCM-1	TC-3
TCM-2	TC-4

Summary of Proposed Zoning

Zoning Classification	General Purpose	Allowable Density	Height Limits	Change from Existing
C-2 General Commercial	Provide a wide range of retail uses, services, commercial activities, and offices of medium intensity to protect abutting residential zones.	FAR of 2.0	75'	Some existing C-2 areas changed to TC-2
R-20 Multiple Family Residential	Promote a suitable environment for family life through the provision of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development compatible with the topography, and other natural characteristics of the area.		45'	No change
R-30 Multiple Family Residential, Low Density Residential			45'	Some new R-30 areas added
R-60 One-Family Detached Residential			35'	Some existing R-60 areas changed to R-30
R-90 One-Family Detached Restricted Residential			35'	Some existing R-90 areas changed to O-1
R-H High Rise Apartments, Residential			110'	No change
RPC Rockville Pike Commercial	Provide a wide range of retail uses, services, commercial activities, and residential opportunities within the Rockville Pike Corridor Area.	FAR of 0.35 (can be increased to 1.5 under optional method of development)	Maximum 35' (75' under optional method of development)	No change
TC-1 Town Center One	Provide for a mix of uses conducive to the creation of an active and 'alive' after five' Town Center.	FAR of 1.0	Maximum 45'	Revision of TCO-1 to allow for greater mix of uses; new areas added east of railroad tracks
TC-2 Town Center Two		FAR of 2.0	Maximum 75'	Revision of TCO-2 to allow for greater mix of uses; new areas added along east side of MD 355 and along west side of North Washington Street
TC-3 Town Center Three		FAR of 3.0	Maximum 75'; 100' under optional method of development	Renaming of existing TCM-1 zone
TC-4 Town Center Four		FAR of 4.0 (can be increased to 6.0 under optional method of development)	Maximum 100'; 235' under optional method of development	Renaming of existing TCM-2 zone
O-1 Office Building	Provide office space and complementary services uses and to provide a transition between general commercial and residential uses.	FAR of 3.0; multi-family limited to 60 d.u.s. (100 d.u.s. under optional method of development)	Maximum 75'	Some new O-1 areas added
O-2 Transitional Office	Provide office space that establishes a transition between residential neighborhoods and commercial/office uses and that promotes the preservation of residential structures.	Same as that in most proximate residential zone		No change
I-1 Service Industrial	Provide space for certain industrial uses, general wholesaling, and retailing facilities for certain commodities appropriate in an industrial zone.	FAR of 0.75	Maximum 40'	Some areas replaced with TC-1 and TC-3 zones

The following is a list of recommended zoning changes:

1. A change in zoning of the west side of the Metro station property from TCO-2 (FAR of 2.0) to TC-4 (FAR of 4.0) increasing the maximum permitted density to take advantage of the transit opportunities at the site.
2. A change in zoning of the east side of the Metro station property from I-1 (FAR of .75) to TC-3 (FAR of 3) and the institution of a Residential Proximity Slope influencing this property as illustrated in the diagram below.
3. A change in zoning of properties on the west side of Washington Street between Jefferson Street and Wood Lane from TCO-1 (FAR of 1.0) to the new TC-1 zone which would not change the density of the properties but would allow greater flexibility in uses.
4. A change in zoning of properties on the west side of North Washington Street and MD 355 between Wood Lane to Ivy League Lane from TCO-1 (FAR of 1.0) and C-2 to the new TC-1 (FAR of 1.0).
5. A change in zoning of properties on the east side of MD 355 north of Park Road from TCO-2 (FAR of 2.0) to TC-2 (FAR of 2.0) to allow for greater flexibility of uses.
6. A potential future change in zoning of properties to the west of North Stonestreet Avenue between Park Road and Lincoln Avenue and to the east of North Stonestreet Avenue between Park Road and Howard Avenue from I-1 (FAR of .75) to TC-1 (FAR of 1.0) to allow for residential and low-density office uses. (Note: Any Zoning changes for property in the Planning Area abutting North Stonestreet Avenue would occur in the context of a Neighborhood Plan for the area.)
7. A change in zoning of property at the southwest corner of Fleet Street and Monroe



A residential proximity slope should be utilized at the Metro station to protect adjacent residences.

Street from R-90 to R-30, or to a new zone that would allow for an appropriate scale of single-family attached or multifamily development.

8. A change in the optional method of development for property north of Beall Avenue and east of Maryland Avenue extended from TCM-1 (FAR of 3.0) to TC-4 (FAR of 4.0) if provisions for proposed public street extension projects are made. Otherwise, properties would be subject to the TC-3 (currently named TCM-1) standards.
9. A change in the optional method of development for property north of Dawson Avenue between North Washington Street and MD 355 from TCM-1 (FAR of 3.0) to TC-4 (FAR of 4.0) if provisions for proposed public street extension projects are made. Otherwise, properties would be subject to the TC-3 (currently named TCM-1) standards.
10. A requirement for ground floor retail uses in properties that front Maryland Avenue; the resulting ground floor retail space would not be included in the FAR calculations and maximum heights would be measured starting from the second floor or 16 feet above the street level, whichever is lower.
11. Allowance of surface parking (except on Maryland Avenue) as long as the lots are screened and no larger than 50,000 square feet.
12. Creation of an Urban Design Overlay District (see map on page 91) within which the *Design Guidelines* recommendations described below would be applicable.
13. A change in the maximum height limit to 110 feet for buildings built prior to July 1, 2001 in the TC-2 Zone, immediately south of Church Street and east of MD 355.

14. Allowing freestanding restaurants in the TC-1 Zone as a permitted use along North Washington Street. Drive-through restaurants shall not be allowed. To encourage restaurants to locate in the proposed restaurant district, flexible parking regulations should be developed to allow for parking reductions when valet or other public or private off-site parking is provided.

These changes are shown on the *Proposed Zoning* map following page 88. No existing zoning requirements other than those described above would change. The Master Plan proposes these changes but recommends that City staff, in conjunction with property owners, evaluate these proposals further.

Design Guidelines Recommendations

The Master Plan recommends the creation of Design Guidelines for use in an Urban Design Overlay District (see map on page 91). The boundary of this district corresponds with the desired urban areas within the Town Center Planning Area. The creation of such standards will help to ensure that the design of new Town Center development meets the *Goal and Objectives* of the Master Plan.

The Town Center Planning Area includes areas at its periphery that are not always identified as being within the urban core of the Town Center. The guidelines would not apply to those areas. In addition, some areas in the Planning Area deserve further study as part of a neighborhood planning effort incorporating other areas beyond the Town Center Planning Area boundaries. The creation of any design standards for those areas should be done in conjunction with those neighborhood planning efforts.

The recommended Design Guidelines for the Town Center are based upon the *Desired Framework* and the goal of reinforcing the East



Visual Benchmarks for Town Center Developments

Montgomery Avenue-Courthouse Square-Maryland Avenue corridor as a primary L-shaped spine of activity—the centerpiece of the Town Center. In addition, this corridor can serve as a division between the scale of development associated with intense traffic/transit corridors along MD 355 and the Metro tracks and a scale of development that is better suited adjacent to the residential neighborhoods to the west. A description of the zoning revisions that support such an approach were outlined above and include standards for building height; the Design Guidelines offer solutions for how those buildings are placed on a site and how the architecture is designed.

The Design Guidelines are intended to provide guidance for developers and designers as to how future construction in the Town Center should be designed. The Guidelines are not intended to be requirements but principles that should be followed. Exceptions to the Guidelines will be considered if the design as proposed meets the intent of the guidelines and the purpose of the Town Center Master Plan. The Guidelines shall apply to both public and private development within the Urban Design Overlay District.

The Design Guidelines are based, in part, on the image preference survey that was conducted at the public open house. The images above should serve as visual benchmarks that indicate how the Town Center should look.

Urban Design Overlay District Guidelines

The following guidelines are intended to achieve the following objectives:

- Celebrate Maryland Avenue as the Town Center centerpiece through the use of outstanding and creative design solutions.
- Celebrate Washington Street north of Jefferson Street as a high quality, mixed-use street that serves as an appropriate transition to the residential neighborhoods.
- Bring buildings up to the street edge and reinforce a sense of urban enclosure by placing parking behind buildings.
- Encourage high quality materials in all aspects of site and building development.
- Incorporate open space (landscaping and/or plazas) into private building plans
- Create streetscapes and public spaces that feel comfortable to pedestrians by encouraging inclusion of green space and/or green areas.
- Utilize traditional storefront design techniques wherever possible; maximize opportunities for street activity by incorporating open and inviting ground floors.

Town Center Text Amendment

Sec. 25-120. Same--Limitation on amendments relative to certain zones.

(a) R-20, R-60, R-H, TC-1, TC-2, TC-3, TC-4 ~~TCO-1, TCO-2, TCM-1, TCM-2~~ and RPR Zones. The City Clerk shall not accept for filing any application for a local amendment to the zoning map for the reclassification of the whole or part of any land to the R-20, R-60, R-H, TC-1, TC-2, TC-3, TC-4 ~~TCO-1, TCO-2, TCM-1, TCM-2~~ and RPR Zones.

Sec. 25-271. Zoning districts established.

(a) For the purpose of this chapter, the City is divided into the following zones:

R-E Residential Estate;

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~~TCO-1~~TC-1 Town Center ~~Office--~~One (1);

~~TCO-2~~TC-2 Town Center ~~Office--~~Two (2);

~~TCM-1~~TC-3 Town Center ~~Mixed Use---~~Three (3) ~~One~~ (1);

~~TCM-2~~TC-4 Town Center ~~Mixed Use---~~Four (4) ~~Two~~ (2);

RPC Rockville Pike Commercial;

RPR Rockville Pike Residential.

Sec. 25-272. Purposes of zones.

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(k) ~~TC-1~~TCO-1 Zone. The purpose of the ~~TC-1~~TCO-1 Zone is to provide for mixed-use developments, containing office, commercial and multifamily residential uses ~~office space, with convenience retail uses~~ within the Town Center Planning Area Performance District. It is also a transition between high density mixed commercial uses in the Town Center and low density, residential scaled office uses and residences adjacent to the Town Center.

(l) ~~TC-2~~TCO-2 Zone. The purpose of the ~~TC-2~~TCO-2 Zone is to provide for mixed use developments, containing office, commercial and multifamily uses ~~office space for private, quasi-public, and public uses with~~ in the Town Center Performance District.

(m) ~~TC-3~~TCM-1 Zone. The purpose of the ~~TC-3~~TCM-1 Zone is to provide for mixed-use developments, containing office, commercial and multifamily residential uses in the Town Center Performance District separately or in any combination in accordance with the Plan.

(n) ~~TC-4 TCM-2~~ Zone. The purpose of the ~~TC-4 TCM-2~~ Zone is to provide for mixed-use developments, containing office, commercial and multifamily residential uses, at the greatest development density within the Town Center Performance District in accordance with the Plan.

Sec. 25-296. Tables of uses.

[In all charts, replace references to TCO-1 with TC-1, TCO-2 with TC-2, TCM-1 with TC-3 and TCM-2 with TC-4]

Commercial Office and Industrial Uses

a. Retail sales and personal services

17. Restaurant

B. Restaurant, full service or fast food, free standing, no drive through
[Permitted use in TC-1, TC-2 Zones]

Sec. 25-311. Tables of development standards.

[In all charts, replace references to TCO-1 with TC-1, TCO-2 with TC-2, TCM-1 with TC-3 and TCM-2 with TC-4]

III. Development Standards for Town Center Zone

[Add to notes section]

(7) A sixty foot build-to line on the east side of Hungerford Drive only
(11) F.A.R. of 4.0 may be authorized by the Mayor and Council under
optional method for properties on Hungerford Drive, between Beall
Avenue and Dawson Avenue extended, if public street extensions are
made according to the Plan [Note for TC-3 zone]

(12) For properties fronting on Maryland Avenue, building height may be
measured from the height of the second floor or sixteen feet above street
level, whichever is lower. [Note for TC-3 and TC-4 zones]

(13) For properties fronting on Maryland Avenue, ground floor retail floor
area does not count toward F.A.R. calculations [Note for TC-3 and TC-4 zones]

(14) For properties in the TC-2 Zone, located immediately south of
Church Street and east of MD 355, and built prior to July 1, 2001, the
maximum height limit shall be 110 feet. [Note for TC-2 Zone]

ARTICLE XIII. TOWN CENTER PLANNING AREA

DIVISION 1. GENERALLY

Sec. 25-671. Intent.

The objective of this article is to encourage development within the Town Center Planning Area in accordance with the Plan. The regulations contained in this article are intended to:

- (1) Provide for a mixed-use, pedestrian-oriented, urban neighborhood environment that is supportive of living, working, shopping and entertainment activities ~~Integrate circulation plans with development;~~
- (2) Encourage ~~high-rise office with~~ street level retail developments in mixed-use buildings ~~arrangements~~ within the Town Center Planning Area Performance District;
- (3) Encourage medium to high density residential development within the Town Center Planning Area Performance District;
- (4) Encourage quality development that and enhances the City's position as a unique, high amenity destination economic base;
- (5) Emphasize excellence in urban design and improvement in the Town Center's overall City appearance to define the character of the Town Center;
- (6) Protect stable residential areas adjoining the Town Center Planning Area Performance District from non-residential encroachment;
- ~~(7) Promote efficient use of land;~~
- (7) Provide sufficient parking for new development and visitors to Town Center;
- (8) Promote effective use of transit facilities through improved accessibility and visibility;
- (9) ~~Promote~~ Ensure consistency of redevelopment consistent with the goals and objectives of the Plan throughout the Town Center Planning Area Performance District;
- (10) Implement a City streetscape improvement program throughout the Town Center Planning Area by establishing specific standards for coordination of façade design, landscaping and street trees along public rights-of-way, public pedestrian ways and sidewalks, utility undergrounding, and buffers between dissimilar uses outside of the mixed-use area.

(Laws of Rockville, Ch. 6, § 5A-101; Ord. No. 25-93, § 6, 12-13-93)

Secs. 25-672--25-680. Reserved.

DIVISION 2. APPROVAL PROCEDURES

Sec. 25-681. Use permit approval.

(a) All developments in the Town Center Planning Area shall require approval of the use permit application in accordance with division 2 of article V of this chapter, except that the following additional requirements shall apply:

(1) The Planning Commission, or the Mayor and Council for City-owned land or land purchased by the applicant from the City in the Town Center Planning Area, Performance District shall approve a use permit application only if it finds:

- a. That the proposed development will be consistent with the Plan;
- b. That the proposed development will be consistent with the intent and purpose of this article; and
- c. That the proposed development will not overburden existing public services, including water, sanitary sewer, public roads, storm drainage, school capacity and other public improvements;

(2) In approving a use permit application, the Planning Commission, or the Mayor and Council for City-owned land or land purchased by the applicant from the City in the Town Center Planning Area, Performance District may impose such conditions in connection therewith as will, in its opinion, assure that the improvement and development will conform to the foregoing requirements, including, but not limited to, provisions for the protection of adjacent property, access and design for off-street parking and loading, and provisions for community facilities.

(3) Prior to approval of a use permit application for any optional method development, approval of a preliminary development plan shall first be obtained in accordance with section 25-683 of this article.

(b) Requests for parking requirement reductions shall be submitted for concurrent consideration with the use permit application.

(Laws of Rockville, Ch. 6, § 5A-301; Ord. No. 34-90, § 4, 11-26-90; Ord. No. 25-93, § 6, 12-13-93)

Sec. 25-682. Optional method of development.

Use of the optional method of development is a voluntary option for large tracts of land in the TC-~~3M-1~~ and TC-~~4M-2~~ Zones where multiple buildings are planned to be developed over a long period of time. Submission of an application under the optional method commits the applicant to a greater degree of development control authority by the Planning Commission. The Planning Commission may grant additional building height and F.A.R. where a development complies with more extensive standards of urban design review and traffic impact review and mitigation. Any development that receives approval may exceed the normal building height and F.A.R. specified in Table III contained in section 25-311 of this chapter, provided that in no event shall the resulting building exceed the maximum height and F.A.R. allowed in the zone. Developments submitted for approval under the optional method of development shall be subject to the following additional modifications and requirements:

(1) A minimum area of two (2) acres shall be required for applications under the optional method;

(2) All applicants shall prepare and submit a traffic impact study in conformance with the "Standard Traffic Methodology," (STM) and shall provide mitigation of traffic impacts which exceed the standards of the STM as may be acceptable to the Planning Commission;

(3) All developments shall be subject to an urban design review process employing the urban design guidelines contained in the Plan;

(4) Developments shall be so planned in relation to one another that no building shall cast a shadow on existing or approved residential structures between 10:00 a.m. and 2:00 p.m. on December 21. This requirement shall not apply to residential towers separated by a distance at least equal to the height of the tallest residential building in the proposed development and having a length less than ten (10) percent greater than width;

(5) All developments shall contain a mix of uses, including at least residential, office, and commercial components. The Planning Commission may authorize modification to

this use requirement where the strict application would result in practical difficulty or unnecessary hardship upon the owners;

(6) All developments shall provide a system of public pedestrian ways linking all elements of the development with neighboring properties and the W.M.A.T.A. Rockville Metro Station;

(7) Within the ~~TCM-1 and TC-4M-2~~ Zones, the Planning Commission may authorize additional building height up to a maximum of two hundred thirty-five (235) feet and F.A.R. up to a maximum of six (6). Within the TC-3 Zone, the Planning Commission may authorize additional building height up to a maximum of 100 feet but no increase in F.A.R., unless otherwise provided by this article. The Planning Commission may authorize additional building F.A.R. up to 4.0 for properties north of Beall Avenue and east of Maryland Avenue extended if provisions for public street extensions are made in accordance with the Plan;

(8) All developments that provide right-of-way or easements for public streets or pedestrian ways may include the area of such right-of-way or easements in the net development area for the purpose of calculating F.A.R.

(Laws of Rockville, Ch. 6, § 5A-302; Ord. No. 34-90, § 4, 11-26-90; Ord. No. 25-93, § 6, 12-13-93)

Sec. 25-683. Optional method approval.

(a) Preliminary development plan. All land developed in accordance with the optional method shall be included in a Preliminary Development Plan approved by the Planning Commission. The Preliminary Development Plan shall remain in full force and effect for the duration of the subdivision or development of the land, but it may be amended from time to time with approval of the Planning Commission. Once approved, and except as amended by the Planning Commission, a Preliminary Development Plan shall control the development of all of the property included in the Plan. Successors in title to the applicant of a Preliminary Development Plan shall be bound in the same manner and to the same extent as the applicant once the Preliminary Development Plan is approved by the Planning Commission. Approval of a Preliminary Development Plan also constitutes approval of a Preliminary Subdivision Plan in accordance with Article XV of this chapter.

(b) The Planning Commission may authorize optional method development only if it determines that the proposed development is in substantial accordance with the Plan and with the intent and purpose of this article, and is compatible with adjacent existing and permitted uses and developments. In making such determination, the Commission shall consider:

(1) Provisions made for traffic impact mitigation, open space, pedestrian circulation, and environmental amenities;

(2) The particular dimensions, grade and orientation of the site, and the location and height of existing and proposed development in the Town Center Planning Area;

(3) The finding and requirements necessary for the approval of a preliminary plan under Article XV of this chapter.

(c) All requests for optional method approval shall be accompanied by the material and information the Planning Commission requires to make a decision and accompanied by such fee as is determined by resolution of the Council.

(d) The fact that an application complies with all of the specific requirements and purposes of the applicable zone or the article shall not be deemed to create a presumption that the development shall be approved.

(Laws of Rockville, Ch. 6, § 5A-208; Ord. No. 34-90, § 4, 11-26-90; Ord. No. 21-91, § 1(2), 8-5-91; Ord. No. 25-93, § 6, 12-13-93)

Secs. 25-684--25-690. Reserved.

DIVISION 3. USE AND DEVELOPMENT REQUIREMENTS

Sec. 25-691. Use requirements.

(a) Uses within the Town Center Planning Area shall be as set forth for the various zones in section 25-296 except that the following limitations shall apply in the Town Center Planning Area ~~Performance District~~ to the amount of floor area devoted to retail sales and personal services, and/or home and business services:

(1) In the TCO-1 and TC-2 Zones, not more than ~~twenty-five (25)~~ fifteen (15) percent of the gross floor area of a building or one hundred (100) percent of the first two (2) floors of a building, whichever is greater, shall be devoted to:

- a. Retail sales and personal services; and/or
- b. Home and business services;

~~(2) In the TCO-2 Zone, not more than twenty-five (25) percent of the gross floor area of a building shall be devoted to:~~

- ~~a. Retail sales and personal services; and/or~~
- ~~b. Home and business services;~~

~~(23) In the TC-3M-1 and TC-4M-2 Zones, there shall be no limit on the amount of floor area devoted to retail sales and personal services, and/or home and business services;~~

(b) Retail sales and personal services and/or home and business services provided in accordance with this section shall be located adjacent to public pedestrian circulation improvements as specified in the Plan. Ground floor retail uses must be provided in all structures that front on Maryland Avenue.

(Laws of Rockville, Ch. 6, § 5A-201; Ord. No. 11-92, § 3, 7-13-92; Ord. No. 25-93, § 6, 12-13-93)

Sec. 25-692. Development standards.

Development standards within the Town Center Planning Area shall be as set forth for the various zones in section 25-311 except as otherwise provided for in this article.

(a) For properties that front on Maryland Avenue, ground floor retail floor area shall not be counted toward F.A.R. calculations, and the maximum height of such structures

would be measured from the height of the second floor or 16 feet above street level, whichever is lower.

(Laws of Rockville, Ch. 6, § 5A-202; Ord. No. 25-93, § 6, 12-13-93)

Sec. 25-693. Parking, loading and access requirements.

Parking, loading and access requirements within the Town Center Planning Area shall be as set forth in article IX of this chapter except that the following additional modifications and requirements shall apply within the Town Center Performance District:

- (1) Within the TCO-1, TCO-2, TC~~3M-1~~ and TC~~4M-2~~ Zones, the Planning Commission, or the Mayor and Council for City-owned land or land purchased by the applicant from the City in the Town Center Planning Area, ~~Performance District~~ shall have the authority, in the granting of a use permit to reduce the required number of parking spaces by an amount not to exceed thirty (30) percent of the total number of spaces required for nonresidential uses in the building or buildings to be constructed; provided that:
- a. Such reduction is justified on the basis of:
 1. Common patrons and on-site users of the uses within the building or buildings; and/or
 2. Non-overlapping peak parking needs of the uses within the building or buildings; or
 - b. A major point of pedestrian access to such building or buildings is within a fifteen hundred (1500) foot walking distance of a transit station shown on the Washington Metropolitan Area Transit Authority Adopted Regional Rail Transit System; or
 - c. A parking management plan approved by the Planning Commission, or the Mayor and Council for City-owned land or land purchased by the applicant from the City in the Town Center Planning Area ~~Performance District~~, will be implemented with occupancy of the building or buildings using such features as car and van pooling and public or private transit;
 - d. In addition to any action taken under this section, the Council, following the issuance of a use permit pursuant to this section, shall have the authority to reduce the number of parking spaces required by the use permit by an amount not to exceed ten (10) percent of the full amount of parking ordinarily required for the use in question. Application for the amount of parking reduction shall be filed with the City Clerk and final approval shall be by resolution of the Council;

(2) Within any development with an approved Preliminary Development Plan under the Optional Method of Development under section 25-683, the number of parking spaces is computed by multiplying the minimum amount of parking normally required for each land use, as reduced under sections (1)a. through d. above, by the appropriate percentage as shown in the parking credit schedule for each of the five (5) time periods shown. The number of parking spaces required is determined by totaling the resulting numbers in each column; the column total that generates that highest number of parking spaces then becomes the parking requirement.

Weekday

Weekend

Nighttime

	Daytime 6 a.m.- 6 p.m.	Evening 6 p.m.-mid	Daytime 6 a.m.- 6 p.m.	Evening 6 p.m.- 6 a.m.	Mid-6 a.m.
Office/industrial	100%	10%	10%	5%	5%
General retail	50%	90%	100%	70%	5%
Hotel, motel, inn	70%	100%	70%	100%	70%
Restaurant	50%	100%	100%	100%	10%
Indoor or legitimate, theater, commercial recreational establishment	40%	100%	80%	100%	10%
Clubs*	50%	100%	100%	100%	10%
Residential	60%	90%	80%	90%	100%
Institutional and public uses	50%	100%	100%	30%	5%
All other uses	100%	100%	100%	100%	100%

*Clubs - community center, museum, civic club, private club, lodge and health and fitness establishment.

(3) Within the TCO-1 Zone:

- a. Vehicular access to North and South Washington Street is prohibited except where no other means of ingress and egress to a lot can be provided; and
- b. Easements shall be provided for public ingress and egress to parking and service areas;
- c. No parking shall be permitted between the public right-of-way line and the building line. In the event that a building is set back from the public right-of-way, the area between the public right-of-way line and building line may be devoted to pedestrian oriented amenities including, but not limited to, plazas, sidewalks,

- trees, awnings, arcades, outdoor dining, and other similar types of pedestrian oriented amenities.
- (4) Within the TCQ-2 Zone:
- a. A service drive shall be constructed in a public easement adjacent to Hungerford Drive to provide for ingress and egress between adjoining lots. The design of such service drive shall be in substantial accordance with Illustration 5A-1; and
 - b. No parking shall be allowed between the Hungerford Drive build-to-line and any portion of the building;
- (5) Within the TC-3M-1 Zone:
- ~~a. A service drive shall be constructed in a public easement adjacent to Hungerford Drive to provide for public ingress and egress between adjoining lots. The design of such service drive shall be in substantial accordance with Illustration 5A-1;~~
 - ~~a.b.~~ Easements shall be provided for public ingress and egress to parking and service areas; and
 - ~~c. No parking shall be allowed between the Hungerford Drive build-to-line and any portion of the building;~~
- (6) Within the TC-4M-2 Zone:
- a. Except for temporary parking lots approved under paragraph (7) of this section, all off-street parking spaces and loading facilities shall be located underground or in a building; and
 - b. Easements shall be provided for public ingress and egress to parking and service areas;
- (7) Within the Town Center Planning Area, ~~Performance District~~ the Planning Commission, or the Mayor and Council of Rockville for City-owned land or land purchased by the applicant from the City, shall have the authority in the granting of a use permit or Preliminary Development Plan to approve temporary parking lots for uses that are part of a staged development program. Such parking may be located on a separate lot from the use served. The Planning Commission, or the Mayor and Council for City-owned land or land purchased by the applicant from the City, may attach such conditions to the approval of a temporary parking lot as may be reasonable and necessary to assure that the use will be consistent with the purpose and intent of this article.
- (8) All development within the Town Center Planning Area ~~Performance District~~ that provides public rights-of-way or easements for roads may include the area of such right-of-way or easement in their net lot area for the purpose of calculating F.A.R. (Laws of Rockville, Ch. 6, § 5A-203; Ord. No. 34-90, § 5, 11-26-90; Ord. No. 21-91, § 1(5), 8-5-91; Ord. No. 11-92, § 4, 7-13-92; Ord. No. 8-97, § 3, 9-22-97)

Sec. 25-694. Landscaping and screening requirements.

Screening and landscaping requirements within the Town Center Planning Area shall be as set forth in article X of this chapter except that the following additional requirements shall apply:

(1) All developments in the Town Center Planning Area shall provide street trees in or adjacent to public rights-of-way. The minimum caliper shall be three (3) inches and trees shall be regularly placed not to exceed forty (40) feet on center.

(2) All developments in the Town Center Planning Area shall provide screening of parking from public rights-of-way. ~~Buffers~~ between nonsimilar uses, and other landscape treatments must be provided and in substantial accordance with Illustration 5A-2. This does not apply to uses entirely within the TC-1, TC-2, TC-3 and TC-4 Zones, unless reasonably determined by the Planning Commission as necessary to preserve the intent of this chapter.

~~PU Diagrams mp 3934~~

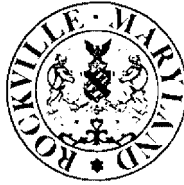
(Laws of Rockville, Ch. 6, § 5A-205; Ord. No. 21-91, § 1(6), 8-5-91; Ord. No. 25-93, § 6, 12-13-93)

Sec. 25-695. Sign requirements.

Sign requirements within the Town Center Planning Area shall be as set forth in article XI of this chapter.

(Laws of Rockville, Ch. 6, § 5A-206; Ord. No. 33-90, § 7, 10-22-90; Ord. No. 25-93, § 6, 12-13-93)

Secs. 25-696--25-710. Reserved.



City of Rockville

MEMORANDUM

July 15, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Deane Mellander, Planner III
Jim Wasilak, Chief of Long Range Planning

THROUGH: Arthur Chambers, Director of Community Planning and Development Services

SUBJECT: Town Center Optional Method

Background

The Optional Method of Development, currently permitted in the TCM-1 and TCM-2 Zones, allows an increase in height in the TCM-1 Zone from 75 feet to 100 feet but no increase in FAR, and an increase in height from 100 feet to a maximum of 235 feet and an increase in Floor Area Ratio (FAR) from 4.0 to 6.0 in the TCM-2 Zone. The Plan recommended an extension of the Optional Method in the TCM-1 Zone for properties east of Maryland Avenue extended and north of Beall Avenue, including an increase in FAR to 4.0 in return for the provision of street right-of-way. As noted previously, the Optional Method of Development is intended to be employed for large tracts of land in the TCM-1 and TCM-2 Zones, where development is expected to extend over a long period of time. Additional density, as measured by FAR, and an increase in height limitations may be granted by the Planning Commission in return for increased urban design review and traffic impact review and mitigation. Other criteria include proposed structures not casting a shadow on existing or approved residential structures between 10:00 a.m. and 2:00 p.m. on December 21; provision of pedestrian ways linking the development to neighboring properties and the Rockville Metro station; and containing a mix of office, retail and residential uses.

The City has approved a development under the Town Center optional method procedures, Rockville Center, which was approved in 1994. That approval specified building envelopes for each block within the development, with only one block of the five taking advantage of the maximum height limitation of 235 feet. However, the office building blocks exceeded the normal 100-foot limit. The project did not take advantage of the additional FAR possible under the Optional Method, although the project does maximize the FAR allowed in the base level of development in the TCM-2 Zone (4.0 FAR).

Montgomery County's Optional Method

The Mayor and Council's expressed concerns include the amount of additional development possible under the Optional Method, particularly given the height and density bonus possible in the TCM-2 Zone. Both of these factors could have significant impacts on traffic, as well as the

urban design and character of Town Center. Another concern is whether the requirements of the Optional Method require appropriate contributions by the developer and project amenities in return for the additional density.

The Mayor and Council requested information on Montgomery County's optional method process. In essence, it works in a similar manner to the City's provisions; the developer has the right to request use of the optional method, provided some basic requirements (such as lot size) are met. In the County's Central Business District (CBD) zones, the optional method requires provision of greater on-site open space, additional public facilities and amenities, and must demonstrate consistency with the relevant master or sector plan. The City's current optional method process in the Town Center zones (approval of a generalized PDP plan, following by a use permit application) mirrors the County's process (approval of a project plan, following by a detailed site plan application).

The County's CBDs are Friendship Heights, Bethesda, Silver Spring and Wheaton. The following table is a comparison of the standard City and Town Center and County CBD Zones.

	City of Rockville				Montgomery County			
	TC-1	TC-2	TC-3	TC-4	CBD-.5	CBD-1	CBD-2	CBD-3
Maximum Height	45 ft	75 ft	75 ft	100 ft	45 ft	60 ft	60 ft	72 ft
Maximum Height by Optional	45 ft	75 ft	100 ft	235 ft	60 ft	90 ft	200 ft	200 ft
Maximum total FAR (non-res)	1.0	2.0	3.0	4.0	1.0 (0.5)	2.0 (1.0)	3.0 (2.0)	4.0 (3.0)
Maximum total FAR by Optional (non-res)	1.0	2.0	3.0	6.0	1.5 (1.0)	3.0 (2.0)	5.0 (3.0)	8.0 (5.0)

It should be noted that the County maximum FAR includes mixed residential and nonresidential uses in its total, while the City does not count residential floor area toward FAR. As a rule of thumb, a 1.0 FAR is equivalent to 40 dwelling units per acre. The County Zoning Ordinance also specifies the maximum residential density on CBD properties in terms of dwelling units per acre (du/acre), as well as other floor area limits for residential or nonresidential floor area. The City Ordinance does not specify these limitations. However, the County's process differs from the City's in that most guidance for the optional method is provided in the relevant sector plans, which specify additional height that may be appropriate for specific properties, additional criteria and guidelines for compatibility in achieving the objectives in the sector plan, as well as provision of appropriate public amenities such as public open space or facilities. It is also interesting to note that the optional method applies to all four of the County's CBD zones, so there may be an opportunity to extend the optional method, once reconstituted to the TC-2 Zone or some other appropriate zone.

Options for Discussion

Some suggestions for altering the City's optional method would be a combination of one or more of several options, including: lowering the height and density limitations in the base level and/or the optional method of development; requiring provision of certain public amenities such as dedicated open space including plazas or pocket parks; requiring environmentally friendly building designs that incorporate green roof technologies; specifying which properties would be appropriate for the optional method, and at what level of development; provision of identified public facilities, such as indoor or outdoor public space; or requiring a certain percentage of owner-occupied residential units within the development.

A reasonable approach would be to amend the current optional method process to provide specific criteria to be met before qualifying for the optional method. Such criteria could include specific locations, minimum (or maximum) lot area, distance from residential areas, consistency with the master plan, etc. Other criteria would be standardized to allow for increase height in exchange for additional open space or additional floor area in exchange for MPDUs. These criteria would have to be clear and concise, so as not be vulnerable to charges of being arbitrary or capricious. It may well be that in order to provide some specific requirements, the City would need to amend the Town Center Master Plan to insert the desired guidance. A potential variation of this approach would be to couple this with a decrease in the base density and height, with the optional method criteria and requirements structured to allow development up to the original maximum height. Then there would be a second tier that would require other enhancements, amenities, etc. for additional height, FAR, etc.

Another approach would involve creating additional zones or adjusting the existing zones within the City's current zoning scheme that can be applied by comprehensive zoning and eliminating the optional method. The high-density zones could include specific standards and requirements that would help offset the perceived impact of the higher densities. The County essentially did this when it created the CBD zones with the highest densities at the core and "tenting" down towards the edge of the CBD. The original CBD-1, 2 and 3 zones were eventually supplemented by a CBD-0.5 zone to help achieve further transition to the surrounding neighborhoods.

A third avenue of approach, similar to the above, would be to create new "floating" zones (never before used in the City). Such zones would be like the planned development zones in the County, wherein the applicant must provide a development plan as a part of the application, which is binding upon approval of the application. Floating zones have the advantage that they do not require proof of "change or mistake". It is best if the master plan provides specific guidance as to what levels and varieties of development are suitable or desirable in certain locations.

Finally, another approach would be to use some variation the Comprehensive Planned Development (CPD) process instead of the optional method. The process is similar to what would be required in a floating zone application, and affords the Mayor and Council the opportunity to create a public record on the decision-making process. In order to make this work, we would likely have to change the affected zones to eliminate the optional method and make them straight Euclidean zones. We may also want, or need, to amend the master plan to provide some degree of guidance as to where such CPD development would be appropriate,

beyond those sites already designated. Using this process for small sites in the Town Center would necessarily require alterations to the current process. This might involve amending the types of land uses allowed as well.

Shadow Study in the Optional Method

Staff notes that Section 25-682 of the Ordinance hinders the ability of the Town Center to become a truly mixed-use area. This section prohibits approval of an Optional Method of Development application if a building will cast a shadow (on December 21 between 10 a.m. and 2 p.m.) on existing or approved residential structures. As a result, timing of development approvals become the critical determination of whether a project that otherwise complies with the Plan and Ordinance. An approval on one property can block approval of a building to its south.

A shadow study remains a helpful tool in evaluating impacts of a proposed development but staff recommends removal of the provision since even a shorter building could be approved with the same impacts and it is not uncommon for urban buildings to cast shadows on adjacent buildings. This provision allows for concurrent approval of buildings in the same PDP that would cast shadows on buildings within the PDP. Since the Optional Method is only available in the TCM-2 and TCM-2 Zones, no single-family detached residences would be affected by removal of this requirement.

Staff Recommendation

Staff recommends a restructuring of the Town Center optional method procedure, to include a minimum of the following:

- Reduction in the maximum height and FAR limitations in the TC-4 (old TCM-2) optional method from 235 feet and 6.0 FAR;
- Establishment of a consistent set of standards regarding design priorities, i.e., height, open space to be used in achieving the current standards in the base TC zones.
- Increase in the amenities and traffic mitigation required to be provided under optional method approval; for additional height, FAR, etc.
- Modification to the criteria and standards associated with the optional method, to include removal of the shadow study requirement, adjustments to the minimum lot size that qualifies.

/rjw



City of Rockville
M E M O R A N D U M

July 14, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Ann Wallas, CPDS

THRU: Arthur D. Chambers, AICP ADC
Director, CPDS

SUBJECT: Draft Proposal for Phase II of the Town Center

Background:

Phase II of the Town Center lies to the north of the Town Square project (Phase I) and is the area bounded by Beall Avenue to the south, North Washington Street to the west and Hungerford Drive to the east. The intersection of North Washington Street and Hungerford Drive forms the northern tip of the site.

The Phase II site is approximately 17.45 acres, including the KSI proposal at 255 North Washington Street, and the Rockville Volunteer Fire Department at the north west corner of the intersection of Hungerford Drive and Beall Avenue. The KSI site is approximately 2.30 acres and the Fire Department site approximately 0.98 acres.

The Phase II Town Center Advisory Group (Phase II TCAG) was appointed by the Mayor and Council in the fall of 2003, and was asked to produce a set of design guidelines with similar components as Phase I, giving attention to street alignment, significant corners, public open space and land use and design issues. So far the Phase II TCAG has met four times: October 30, 2003, November 17, 2003, February 9, 2004 and most recently on March 29, 2004. The City has retained the services of Tim Mount, of Street-Works, as the design consultant for this project.

The Draft Site Plan:

Based on his meetings with the Phase II TCAG Tim Mount presented a set of principles that have been developed to guide the Phase II design process. These principles have been used to guide the creation of the Draft Site Plan (Attachment 1.)

The eight diagrams used to illustrate the Principles are described in a separate report (Attachment 2).

Staff Comments:

City CPDS staff has prepared some very preliminary comments on the draft proposal suggested by the Phase II TCAG. They can be found at Attachment 3.

Next Steps:

Before this proposal is considered further the Phase II TCAG and staff believe that it is important to bring these ideas to additional citizens and property owners for their reactions and input. Staff will be sharing the draft proposal with the property owners and other organizations during August and September. A report will be sent to the Mayor and Council and Planning Commission in late September or October.

Attachment 1: Phase II Town Center Proposal: The Draft Plan

Attachment 2: Phase II Town Center Proposal: The Process

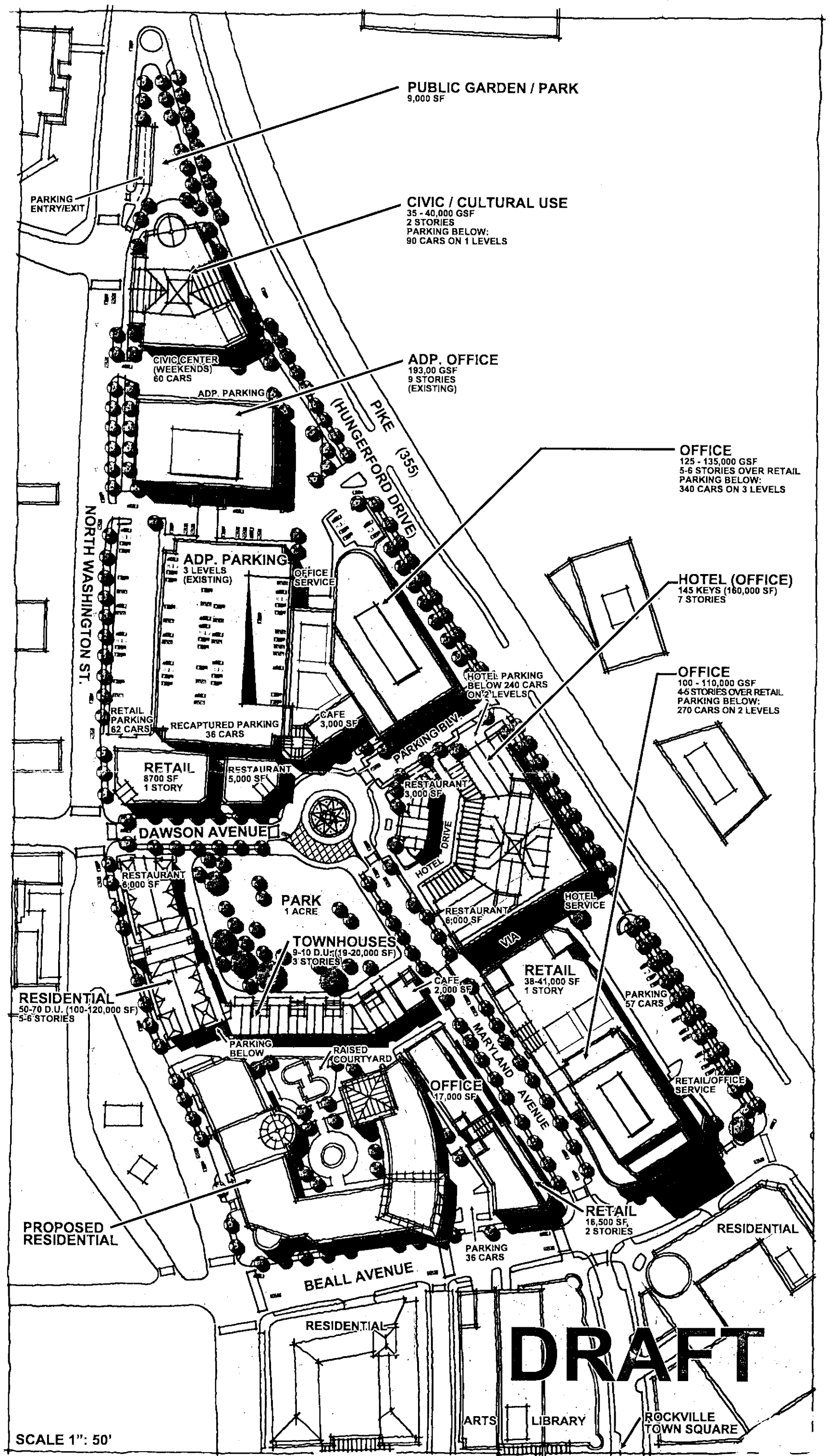
Attachment 3: Staff Comments on Phase II Town Center Proposal

City of Rockville

Phase II Town Center Proposal: The Draft Plan

The Draft Plan for the 17.45-acre Phase II of the Town Center aims to extend Maryland Avenue north from Phase 1 and establish a connection with Dawson Avenue. Reading from north to south, the proposed land use pattern is described below:

Use	Square Feet	Residential/ Hotel Units	New Parking Spaces
Civic/cultural use -- 2 stories	35-40,000		90
Office -- 9 stories (existing- 401 North Washington Street.)	193,000 gross		
Hungerford Drive at Beall Avenue: Office: 5-6 stories over retail	125-135,000 gross		340
Dawson Avenue at North Washington Street: Retail 1 story Restaurants 1 story	8,700 8,000		
Hungerford Drive at park: Hotel (Office) - 7 stories Restaurants Retail -- 1 story Office (4-5 stories over retail)	160,000 9,000 38-41,000 100-110,000 gross	145 rooms	240 57 270
Park 1 acre	43,560		
North Washington Street south of Dawson Avenue: Restaurant Multi-family residential - 5 - 6 stories (double loaded onto N. Washington and the park) Townhouses 3 stories (fronting onto park)	6,000	50-70 du 9-10 du	
North Washington at Beall Avenue: KSI project (approved by Planning Commission July 14, 2004) Multi-family residential Office/retail	6,549	325 du	512
Maryland Avenue at Beall Office Retail -- 2 stories	17,000 16,500		36
Total: Civic Restaurant/Retail Office Hotel Residential New parking spaces	35,000 - 40,000 92,700 - 95,700 435,000 - 455,000	145 rooms 384 - 405 du	1,545



SCALE 1" = 50'

ROCKVILLE TOWN CENTER PHASE II

MARCH 2, 2004

City of Rockville

Phase II Town Center Proposal: The Process

The Town Center Master Plan lays out the goals and objectives, and offers general Design Guidelines, for the Rockville Town Center. Phase I of the redevelopment is the area bounded by East Middle Lane to the south, North Washington Street to the west, Beall Avenue to the north and Hungerford Drive (MD 355) to the east. Detailed Design Guidelines for Phase I were approved in 2003, and ground breaking for this first phase took place on June 15, 2004.

Phase II of the Town Center lies to the north of Phase I, and is the area bounded by Beall Avenue to the south, North Washington Street to the west and Hungerford Drive to the east. The intersection of North Washington Street and Hungerford Drive forms the northern tip of the site.

The Phase II site is approximately 17.45 acres, including the KSI proposal at 255 North Washington Street, and the Rockville Volunteer Fire Department at the northwest corner of the intersection of Hungerford Drive and Beall Avenue. (The KSI site is approximately 2.30 acres and the Fire Department site approximately 0.98 acres.) Phase I is approximately 20 acres.

The Phase II Town Center Advisory Group (Phase II TCAG) was appointed by the Mayor and Council in the fall of 2003, and was asked to produce a set of design guidelines with similar components as those approved for Phase I, giving attention to street alignment, significant corners, public open space and land use and design issues. A list of the members of the Phase II TCAG is attached.

The Phase II TCAG has met four times: October 30, 2003, November 17, 2003, February 9, 2004 and March 29, 2004. The City has retained the services of Tim Mount, of Street-Works, as the design consultant for this project.

Based on his meetings with the Phase II TCAG Tim Mount presented a set of Principles that had been developed to guide the Phase II design process. He presented eight diagrams to illustrate the Principles, which are attached, and are outlined below:

Diagram #1

- Extend Maryland Avenue to new Dawson Avenue connection.
- (Create a) Seamless connection from Phase I to Phase II with the same design guidelines.

Phase II should have the same character as Phase I, with similar retail, parallel on-street parking, the same lighting systems, street trees etc. The plan should connect

Maryland Avenue with Dawson Avenue, perhaps with a traffic circle, and set up reasonable development parcels.

Diagram #2

- Make the extension viable mixed use.
- Mix in uses and mix in retail.
- Street driven.

The Phase II plan is intended to be a very long-range plan and to be phased over the next fifty years or so. The Plan would modify the existing lots, as it is very important that the site dimensions lead to viable spaces. The more storefronts are located along a street, the more interesting it will be. Therefore it is important that the sites have sufficient depth to allow for narrower storefronts, while still providing viable space. The suggested single story uses at the intersection of Dawson Avenue and North Washington Street could also be phased: the area could be used for additional parking spaces until a suitable redevelopment opportunity occurred.

Diagram #3

- Create a green amenity in the middle.
- The soft compliment to the harder Town Square.
- Leave enough room to support viable uses surrounding the 1 acre green space.
- Limit height on south side of park to preserve (allow) sunlight.

The Phase II TCAG had requested that the maximum possible amount of green space be incorporated into the proposal, and that tall buildings should not block natural light. Diagram #3 illustrates what 1-acre green space would look like using Maryland Avenue and Dawson Avenue as borders, and assuming the KSI project will be built at the intersection of Beall Avenue and North Washington Street in some form. The draft plan shows double-loaded residential structures fronting onto North Washington Street and the park. The proposed townhouses, which border on the southern edge of the park could be live/work units. Restricting the height of structures on the southern edge of the park would allow the maximum amount of sunlight into the park.

Diagram #4

- Provide for dining around The Green.
- Provide streetscape dimensions that support a café experience.

Diagram #4 is designed to support the Café experience. A “three-legged” traffic circle would be a prominent feature and would be a prime site for artwork and/or a water feature. The circle would be part of the park experience. Retail/restaurant pads of between 2,000 and 5,000 square feet could be developed.

Diagram #5

- Civic use for civic gateway.
- Considering moving existing fire station to north parcel.
- Create a ceremonial district entry.

The northern point of the Phase II area -- at the intersection of Hungerford Drive and North Washington Street -- is an awkward site to develop for office or retail use because providing good access and sufficient parking on-site would be difficult. Tim Mount pointed out that a fire station would have a great civic presence. The site is accessible from both sides -- North Washington Street to the west and Hungerford Drive to the east -- and trucks would be able to swing in and out.

Other civic uses, such as a Police Station or a Theater that could use adjacent parking capacity at night, were mentioned.

Phase II TCAG members suggested that a hotel, or perhaps residential development, would be an appropriate use for the existing fire station site. Some kind of pedestrian crossover link from East Rockville would work well with a hotel site.

Diagram #6

- Create viable parcel dimensions for future development on Hungerford Drive with self-contained parking.
- Allow for convenient auto oriented parking in response to retail market.
- Service and loading are shared activities between buildings to preserve value on primary streets.

Diagram #7

- Pull retail out of ADP deck to define Dawson Avenue.
- ADP office and parking deck otherwise remains the same.

Diagram #8

- North Washington and Maryland Avenue need to be predominantly mixed-use.
- Adjust the base of KSI to address mixed-use on streets.

Phase II - Town Center Advisory Group Appointees:

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301.251.4396

Kate Ostell - Planning Commission, West End
128 Calvert Rd.
Rockville, MD 20850
301.217.9744

Richard Resnick -- Traffic and Transportaion, North Farm
953 Farm Haven Dr.
Rockville, MD 20852
301.984.0789

Kate Savage -- Recreation and Parks Board, Woodley Gardens West
505 Bradford Dr.
Rockville, MD 20850
301.294.9214

Jonathan Smith -- Cultural Arts Commission, Croyden Park
310 Croyden Ave.
Rockville, MD 20850
301.728.2747

Ms. Betty Spano
1510 Columbia Ave.
Rockville, MD, 20850
301 424 1337

Ms. Robin Wiener - President, East Rockville Citizens Association
319 S. Horners Lane
Rockville, MD 20850
240.401.7063

Diagram #1

- Extend Maryland Avenue to New Dawson connection
- Seamless connection from Phase I to Phase II with the same design guidelines

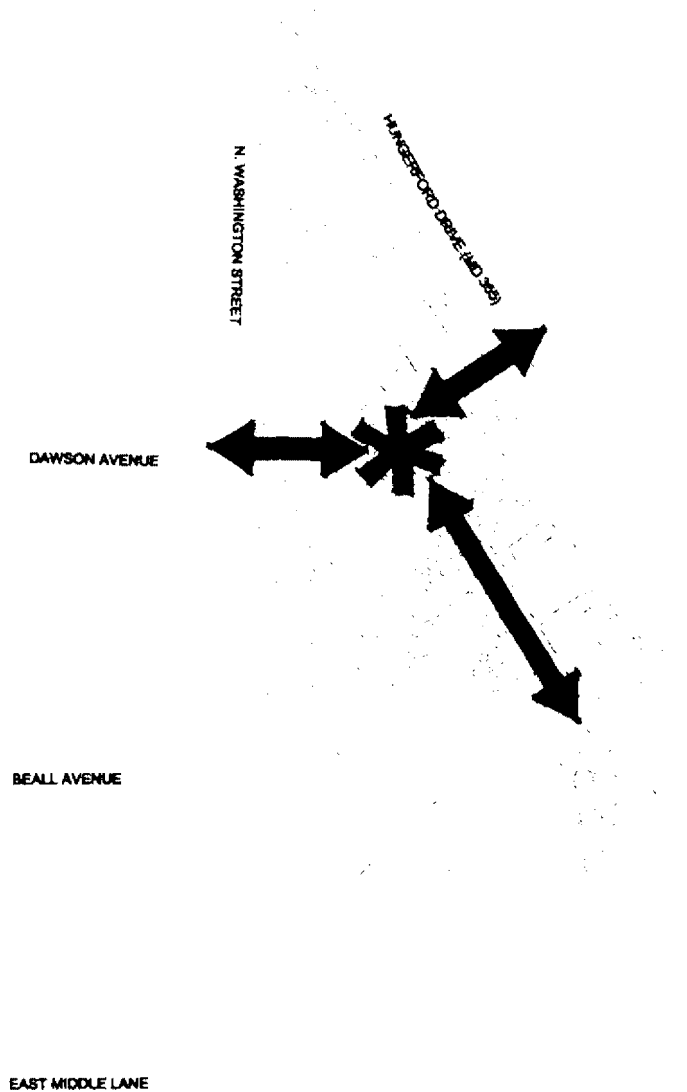
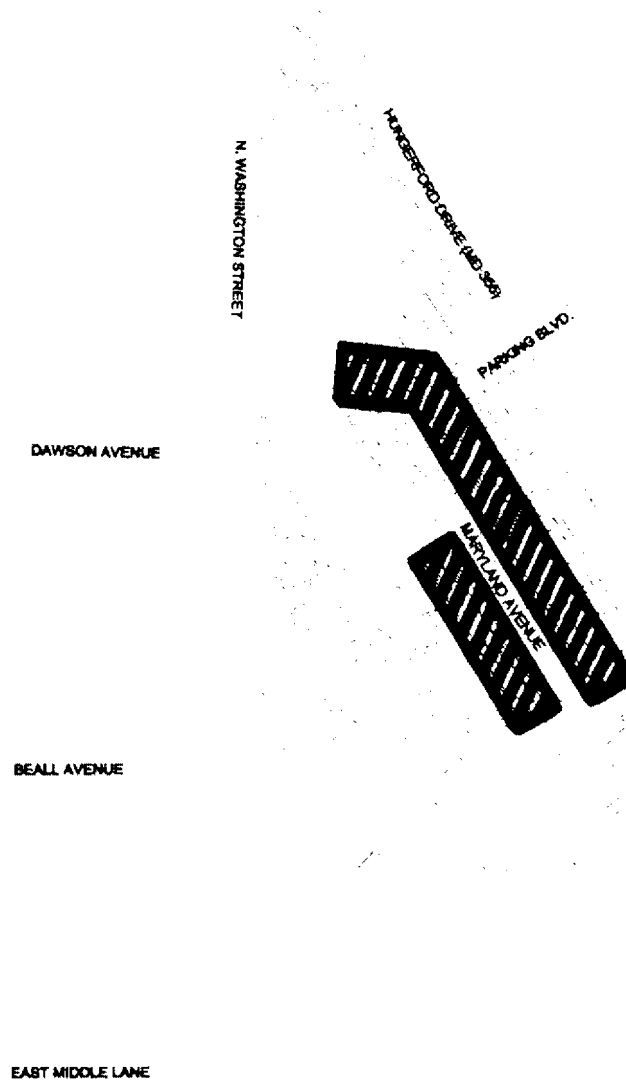


Diagram #2

- Make the extension viable mixed-use
- Mix in uses and mix in retail
- Street driven



Rockville Town Center

Diagram #3

- Create a green amenity in the middle
- The soft compliment to the harder Town Square
- Leave enough room to suport viable uses surround the 1 acre
- Limit height on south side of park to preserve sunlight

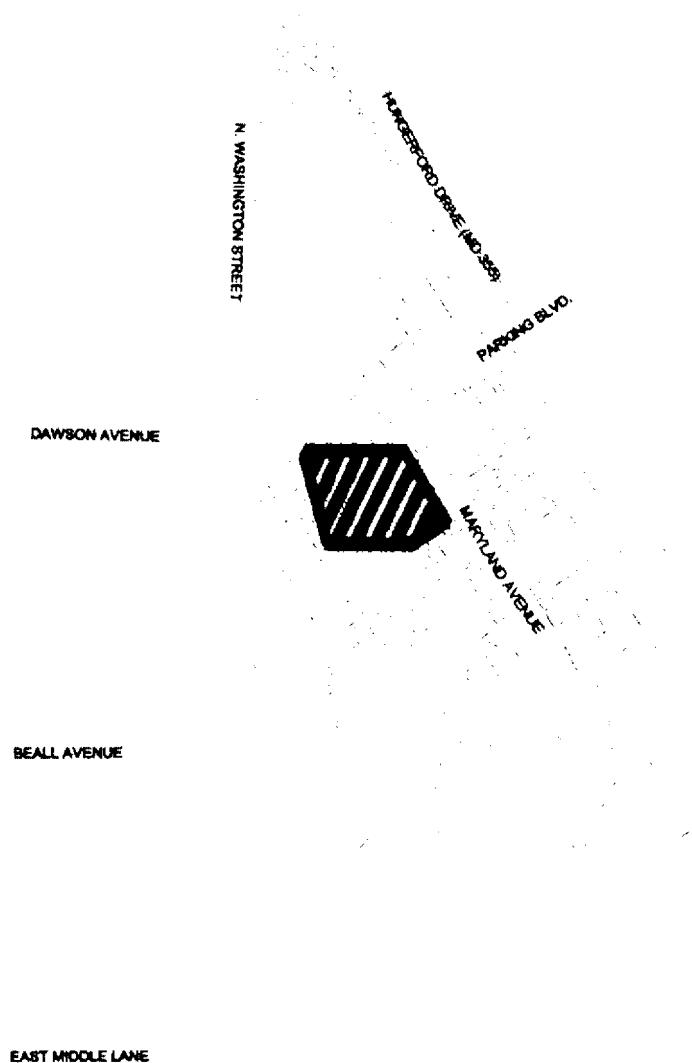


Diagram #4

- Provide for dining around The Green
- Provide streetscape dimensions that support a cafe experience

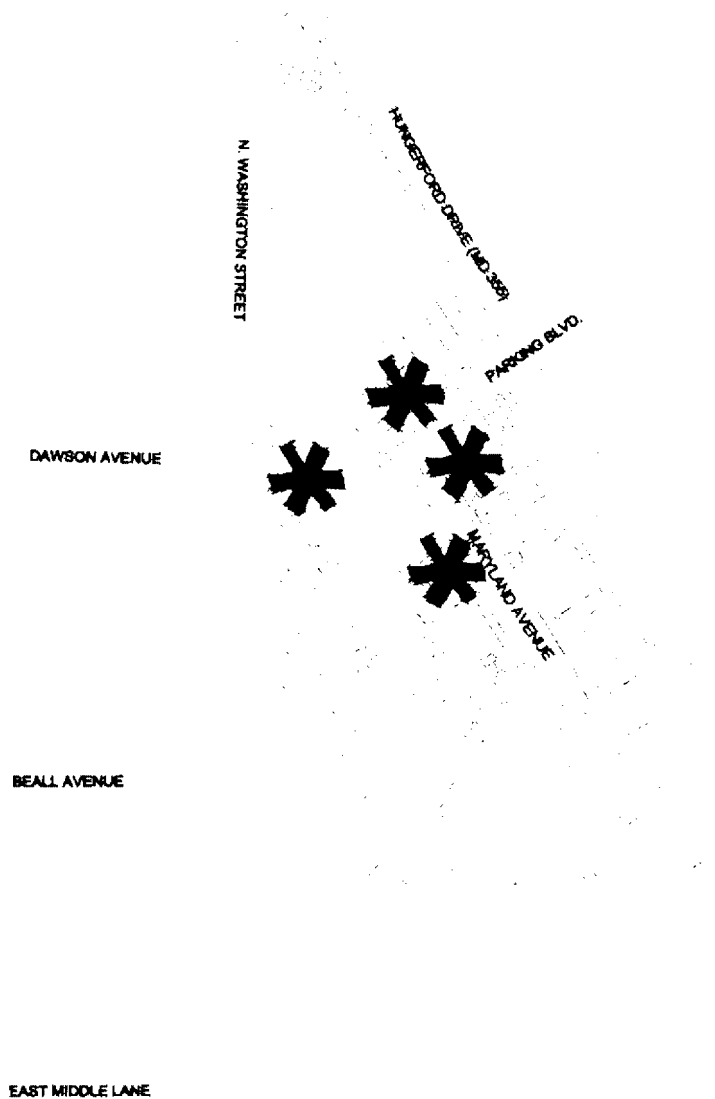


Diagram #5

- Civic use for civic gateway
- Consider moving existing fire station to north parcel
- Create a ceremonial district entry

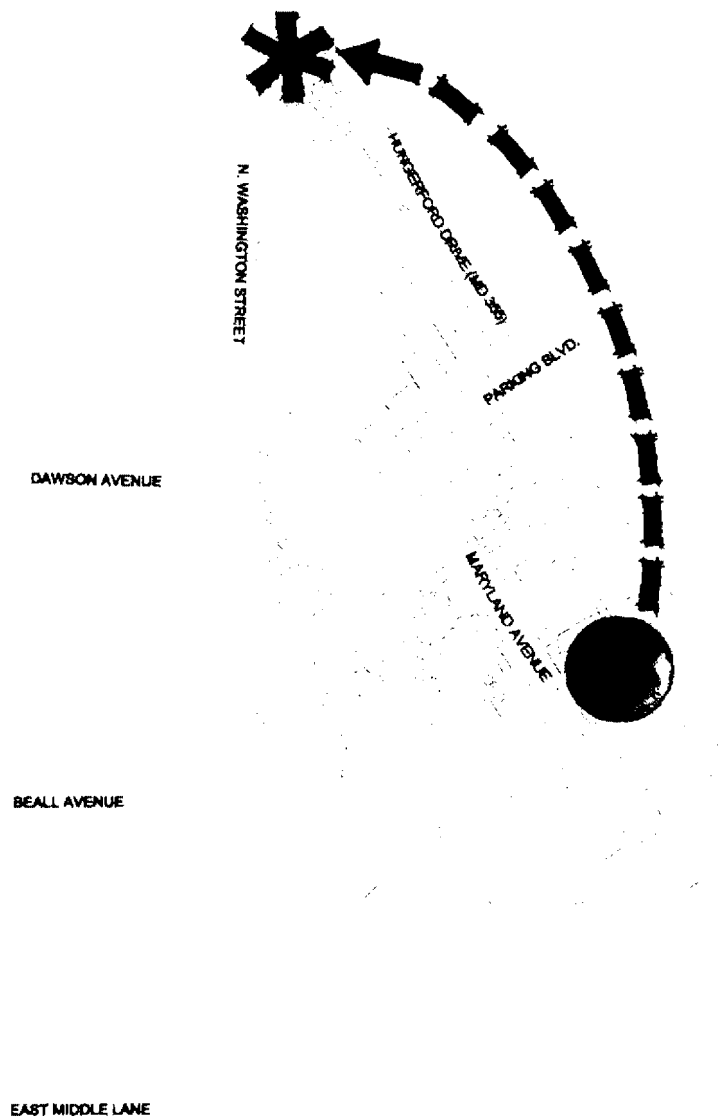
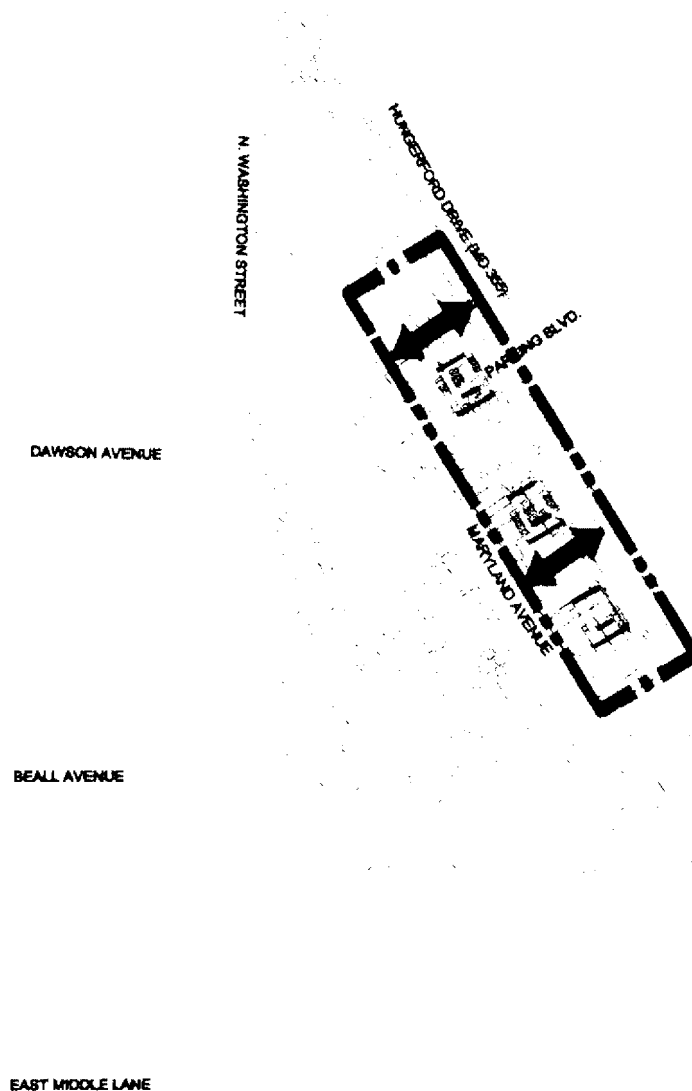


Diagram #8

- Create viable parcel dimensions for future development on Hungerford Drive with self contained parking
- Allow for convenient auto oriented parking in response to Retail market
- Service and loading are shared activities between buildings to preserve value on primary streets



Rockville Town Center

Diagram #7

- Pull retail out of ADP deck to define Dawson Avenue
- ADP office and parking deck otherwise remains the same

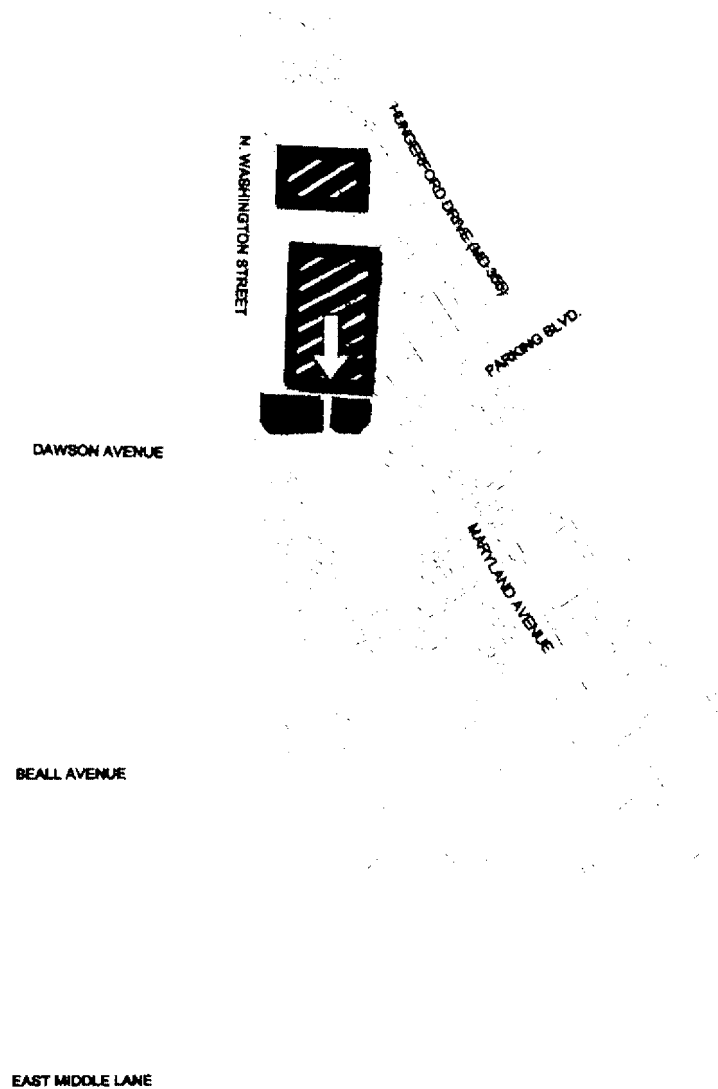
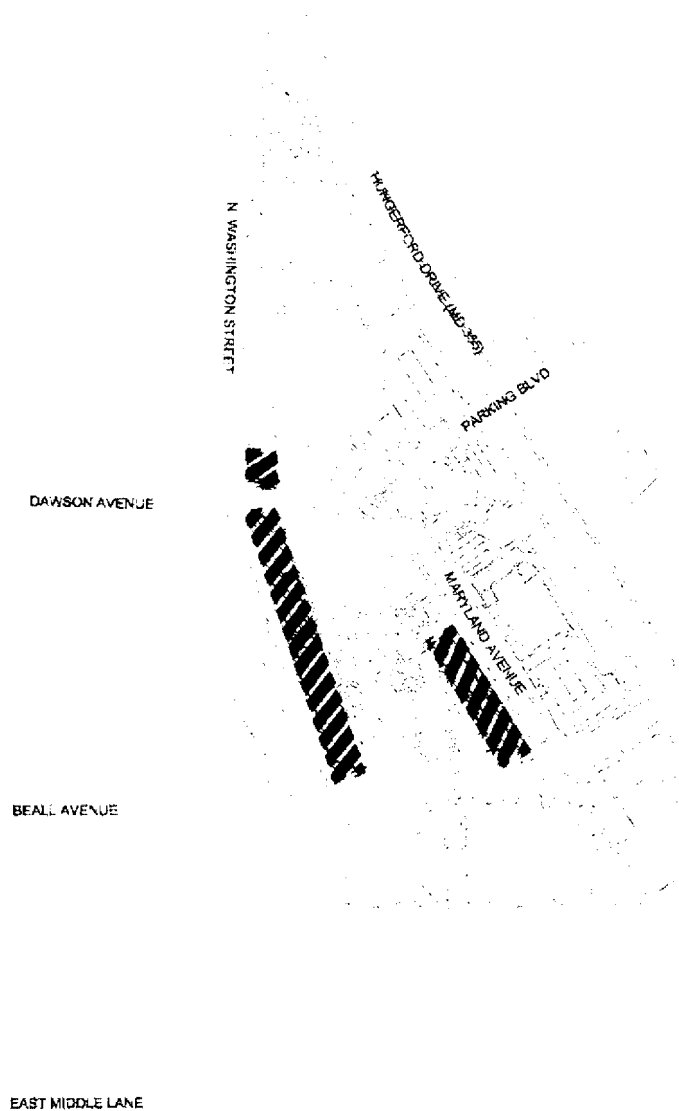


Diagram #8

- North Washington and Maryland Avenue need to be predominantly mixed-use
- Adjust the base of KSI to address mixed-use on streets



Rockville Town Center

Staff Comments on Phase II Town Center Proposal
(Draft approved by Phase II TCAG March 29, 2004)

Phase II Town Center Advisory Group Proposal

Please see the Draft Site Plan (Attachment 1) for a graphic depiction of the proposal. The proposal suggests a land use pattern that can be broken down into the following approximate square footage requirements:

Public space: Open space Public Garden/Park (9,000 sq.ft.) Park (1 acre) Maryland Avenue extension Dawson Avenue extension	Floor Area 52,560 sq.ft.
Civic/Cultural use (or Fire Station)	40,000 sq.ft.
Private Space: Office, including Hotel	615,000 sq.ft.
Retail/Café/Restaurant	92,700 sq.ft.
Residential 50-70 multi-family and 10 townhouses (plus 325 du in the KSI proposal)	140,000 sq.ft.

The proposal also shows new parking spaces for 1,545 cars (including KSI), in addition to the spaces at the existing garage at 401 North Washington Street, which currently has no excess capacity.

It should be noted that implementing a plan similar to that proposed by the Phase II TCAG could be difficult to achieve. There are nine different property owners. They all will have different investment and redevelopment expectations. In order for the redevelopment of this area to successfully proceed they will need to be included in future activities, discussions and solutions.

One of the primary purposes of the Plan is to establish the location and alignment of Maryland Avenue extended in this block. Acquisition of the necessary right-of-way will likely take place through dedication as properties redevelop, or through the use of eminent domain. Unless the properties are assembled, they will redevelop at different times, and coordination of future development to achieve the necessary street network will be critical. With an approved plan the coordination should be easier to accomplish.

Current Site Value:

According to the Maryland State Department of Assessments and Taxation, Real Property Data, the total value of the Phase II area, including land and improvements, is \$68,544,200. This represents an average value of approximately \$4,000,000 per acre, or \$90.68 per square foot. However, each property will have a different value based on location, zoning, existing improvements etc.

Maryland Real Property Data now uses full cash value as the basis for assessment. However, it may still be regarded as being below market rate, and the most effective way to determine the true market rate would be through a professional appraisal. An appraisal would need to be done for each of the 15 properties.

It is very unlikely that a park site of 1-acre would be dedicated. The City would probably have to buy the 1-acre site, which will be expensive (see above). In addition the proposal recommends a level of density that appears to yield less marketable space than either the existing zoning allowance, or that proposed in the Town Center Master Plan.

Mayor and Council/Planning Commission Issues*

<u>Timeframe</u>	<u>Issue</u>
July	Town Center Map Amendment Town Center Text Amendment Optional Method Phase II Town Center Advisory Group- Area north of Beall Avenue
Sept/Oct	Twinbrook Performance Area Rockville Pike Plan Twinbrook Neighborhood Twinbrook Sector Twinbrook Commons
Oct	Town Center Traffic Analysis Zoning Ordinance
Nov	Citizen Notification Underground Utilities APFO
Dec	History Inventory SHA Worksession Forestry/Green Roofs

*** Some items may be handled in joint worksessions; others may be handled via memorandum to each body.**